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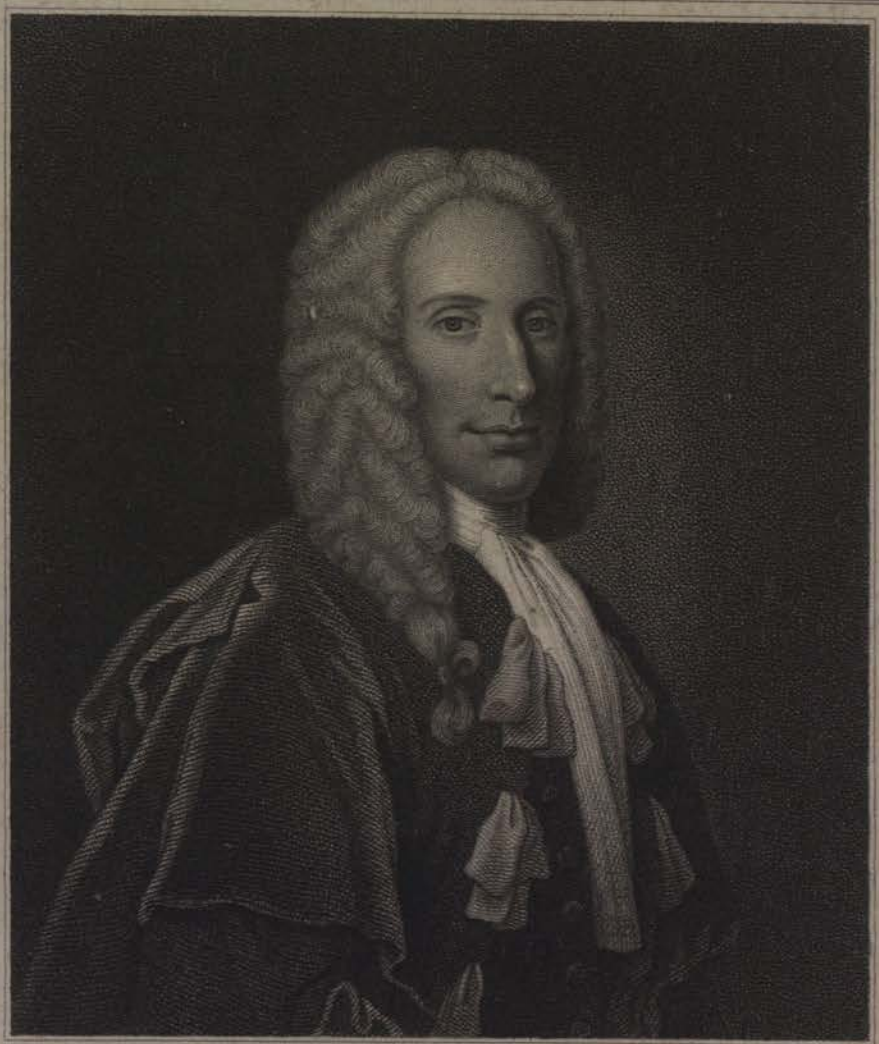

Engraved by R. Cooper.

DUNCAN FORBES,

Lord President of the Court of Session.

125

CULLODEN PAPERS

London

PRINTED FOR T. CADELL AND W. DAVIES, STRAND.

1815.

CULLODEN PAPERS:

COMPRISING

AN EXTENSIVE AND INTERESTING CORRESPONDENCE

FROM THE YEAR 1625 TO 1748;

INCLUDING

NUMEROUS LETTERS FROM THE UNFORTUNATE LORD LOVAT,
AND OTHER DISTINGUISHED PERSONS OF THE TIME;
WITH OCCASIONAL STATE PAPERS OF MUCH HISTORICAL IMPORTANCE.

THE WHOLE PUBLISHED FROM THE ORIGINALS
IN THE POSSESSION OF
DUNCAN GEORGE FORBES, OF CULLODEN, ESQ.

TO WHICH IS PREFIXED,

AN INTRODUCTION,

CONTAINING

Memoirs of the Right Honourable Duncan Forbes,
Many Years Lord President of the Court of Session in Scotland.

ILLUSTRATED BY ENGRAVINGS.

TT-2-10

" And You may then revolve what tales I have told you
Of courts, of princes, of the tricks in war:
That service is not service, so being done,
But being so allow'd: To apprehend thus,
Draws us a profit from all things we see:
And often, to our comfort, shall we find
The sharded beetle in a safer hold
Than is the full-wing'd eagle. O, this life
Is nobler, than attending for a check;
Richer, than doing nothing for a bauble;
Prouder, than rustling in unpaid-for silk." CYMBELINE.

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LONDON:
PRINTED FOR T. CADELL AND W. DAVIES, IN THE STRAND.
1815.

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TO

CHARLES GRANT ESQUIRE,

MEMBER OF PARLIAMENT FOR THE COUNTY OF INVERNESS,

AND

CHAIRMAN OF THE COURT OF DIRECTORS.

THE HONOURABLE EAST INDIA COMPANY,

THIS VOLUME

IS DEDICATED,

WITH SENTIMENTS OF THE HIGHEST RESPECT.

PREFACE.

PREFACES have, generally, one of three objects; either to solicit favour, to apologize for defects, or to afford explanation. The following pages may, perhaps, require a short notice with more than one of those views.

After the death of the Lord President Forbes, in 1747, a period of nearly 40 years elapsed, during which his son and grandson made only short and unfrequent visits to Scotland; and there is every probability, that not the nature only, but even the very existence of these Papers, had eluded recollection. Certain it is, that they must have narrowly escaped destruction by a fire which consumed the old castle of Culloden about thirty years ago.

When Mr. Home was writing his "History of the Rebellion of 1745," he either had been informed, or conjectured, that important documents relative to his subject might be found in the possession of the Culloden family. With this view, he paid a visit to the Highlands in the autumn of 1791; and it is extremely unlikely, from the acknowleged liberality of the Proprietor, that, had the existence of the Papers been then known, he would have been disappointed in the object of his journey. A reference, however, to his publication will show, that he did not derive any material advantage from his visit at Culloden House.

About five years since, a similar anxiety for information occasioned a partial search to be made by a gentleman of erudition, in the county of Inverness, at the instance of a friend in the South of Scotland. On this occasion, a small number of Papers were procured and transmitted; but the undertaking; for the purpose of which the search had been made, having been relinquished, the documents were returned with the same handsome alacrity with which they had been granted. It is really

 extraordinary,

extraordinary, that this partial discovery of Papers did not lead to a more careful investigation. The design of publishing a book, however, is not among those most frequently entertained by country Gentlemen; and, admitting that it might have occurred to some acquaintance of the family who was more immediately attached to literary pursuits, it must also be allowed, that there is a considerable delicacy to be overcome, before a Gentleman can request a free inspection of family papers.

But for an accident, the mention of which would be wholly uninteresting to the public, it is probable, that the CULLODEN PAPERS would still have remained in the obscurity and oblivion, into which inadvertence had thrown them. In exploring some dark and unfrequented recesses of the House of Culloden for purposes of a very different nature, in the year 1812, two large chests and three sacks were found, containing the materials, a careful selection from which forms the contents of the present volume; mingled, without the least order, or indication of previous inspection, with the lumber of local and uninteresting documents, of useless accounts, trivial memoranda, and law papers, of all dates within the last 200 years.

From this chaotic mass of Manuscripts, a selection of what was considered as best calculated to subserve the purpose of history was made, and put to the press in chronological succession. The Editor, however, had frequent occasions to regret, that many of the Papers were either Letters requiring Answers, to which no Answers could be found; or Answers to Letters that seemed to have no existence; or, again, Letters referring to others which could not be traced.

When the printing had been far advanced, this circumstance, so much to be regretted, induced a more eager search, and a hamper of similar Papers was brought to light. It was impossible, however, now to interfere with the chronological order that had been adopted; and it was deemed expedient to form a second part of the Collection, under the name of ADDENDA; to recommence, like the former, according to their dates; which would furnish an easy clew to the Reader, for connecting and associating Papers, on similar subjects, that had been printed in the former part of the Volume. Of these last Papers, not a

few

few may, perhaps, be found even more interesting than those which had been previously inserted.

The Editor hopes that he may be allowed to deprecate any displeasure being felt by Noblemen or Gentlemen of the present day, on account of the mention incidentally made of their ancestors, &c. To have omitted their names altogether, would have destroyed the interest of the Letters; and to have inserted them by initials only, would, without answering any purpose of concealment, have seemed to intimate, that they did not appear in a creditable point of view; which, in many instances, will be far from the conviction of liberal minds, that can connect circumstances with the times in which they happened. The expressions which one man employs in writing of another, are often far from being those of his serious sentiments: allowance must be made for momentary irritation, for conflicting interests, and for what, perhaps, is esteemed address and dexterity in pushing on the business of life. Amongst other instances, we may particularize the notice (in page 33) which Lord Lovat takes of his neighbours and kinsmen in the Aird: so far from his real sentiments being those expressed in his letter, it is well known that he gloried in those gentlemen being part of his clan, and that he knew they were men of handsome independent estates (situated in the fairest district of the Highlands), and of education and honour; and of all the various circumstances upon which his Lordship piqued himself, the distinction of being the head of these very Barons was by far the dearest to his heart. Many other instances might, if necessary, be quoted, in which the momentary expression of anger or contempt could be resolved into the same want of temper or of sincerity.

As to the tendency of many of the Highland chieftains and their clans in favour of the exiled family, whatever opinions divided the kingdom at *that* time, this cannot *now* be a subject requiring vindication; and if it raise a glow upon the faces of their descendants, it is not likely to be the blush of shame. Error may be produced by the excess of the noble, as well as by that of the baser passions; but while courage, disinterestedness, generosity, fidelity, compassion, and gratitude for former benefits bestowed, shall continue to be esteemed among the human virtues, the actions

actions of their fathers and of their adherents need not in future create unpleasing sensations. Time, which buries in promiscuous ruin and oblivion the hopes and fears of mankind, has long disarmed this subject of its acrimony, and justly appreciated its merits. Of late, we have seen our venerable Monarch liberally assisting the last heir of the ancient rivals of his House, during the downfall whereinto France had plunged the Church, of which he was one of the pillars, and himself; and we know, that the latest moments of this solitary representative of that House, so long pursued by misfortune, were employed in declaring his willing resignation of its long unavailing pretensions, and in blessing THAT FAMILY to whose generosity he had been so deeply indebted.

March 1, 1815.

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ERRATA.

Nos. CLVI. and CLVII. for Sir Thos (read Sir John) Pringle; and for the Signatures T.P. read J.P.

DIRECTIONS FOR PLACING THE ENGRAVINGS.

(1.) A Portrait of the Right Honourable Duncan Forbes. To face the engraved Title Page.

(2.) Engraved Title Page; with Vignette, representing the Monument of the Lord President in the Court of Session, executed by Roubiliac.

(4.) A Plate of Fac Similies, to face Page 1.

(3.) A Portrait of Prince Charles Edward Stuart (Son of the Pretender), from an original Drawing by Ozias Humphry, R.A. taken at Florence in 1776; derived from the Kindness of Mr. Upcot, of the London Institution. To face Page 226.

INTRODUCTION.

ON presenting the following papers to the Public, it may not be improper to give a short biographical sketch of the members of the Culloden family, who were chiefly concerned; particularly of the Lord President Duncan Forbes, a man whose public and private virtues justly raised him to celebrity. Persons who have been most successful in writing the lives of eminent men, have been surprised to find, in their researches, how soon those, who might be supposed to be most generally known, have, after their deaths, become difficult to trace, and so have afforded but scanty materials for the biographer. In this respect likewise it may be observed, that men of literary eminence (and those whose history does not present the animating vicissitudes of life incident to the warrior, to the traveller, and to him who emerges from poverty, and the humbler walks of life, to dignity, notoriety, or opulence,) generally afford but meagre subjects for narrative; and the attention is, perhaps, more forcibly excited by the varied history of a vicious man, than by the gradual and expected ascent to dignity and fame of him who, born in the higher class of society, pursues, without deviating, the usual road to eminence: the want of surprising incidents in his life, however, does not detract from the admiration due to the unvarying tenor of excellence in the career of a great and virtuous man; and that of President Forbes was so connected with the most important transactions of his time, as to deserve a fuller account than is compatible with the nature of this work.

DUNCAN FORBES, [1] the great grandfather [2] of the Lord President Forbes, was member of parliament and provost of the town of Inverness. He was descended from the

[1] The perusal of history too often shews, that those whose folly or crimes produce lamentable events in the sequel, escape from feeling their effects, and leave their descendants to expiate what they have had no blame in producing; this was the case with Charles 1st; who, perhaps, may be forgiven for the worst of his *actions*, if we except *that* which fixed his own destiny, and for which he could never forgive himself (the death of Strafford), for he never smiled afterwards. A multitude of events conspired to draw forth the disturbances which heavily threatened the kingdoms before the death of James 1st. In England, the jealous policy of Henry 7th had abased the nobility, the natural support of the crown, and given birth to a new race of small proprietors, who aspired to independence. The selfish policy and passions of his

the family of Lord Forbes, through that of Tolquhoun, [3] as a narrative in the hand-writing of the president's father informs us, and purchased the barony [4] of Culloden from

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son had pulled down the clergy; commerce had introduced the influence of extensive fortunes gained by men of no family; and the reformation excited a spirit of discussion dangerous to a government reared with no consent except the fiat of the conqueror. The Scotch nation, and, of course, a Scotch succession to the crown, was odious to the English people. The person and character of James were calculated to excite contempt; and the three kingdoms were truly, as Henry 4th remarked, "too fine a morsel for a pedant." The Tudor princes might be hated, but they were far from being contemptible; and they might with justice use this maxim to their subjects, *odeant dum metuunt*. James was both hated and despised; and it must be owned, that he appears to have been a cruel, timid, sensual, and despicable prince, unable to govern his own family. Some of his letters, lately published, admit of no rational explanation, except one so abominably degrading to his nature, as might shake the character of a more unexceptionable man. The power of this monarch being weakened and precarious in England, the Presbyterians, who had long been bringing it into disrepute in Scotland, gained additional courage and strength to keep pace with their English brethren, until the monarchy was subverted. Scotland indeed, after the accession of James, was always regulated by the destiny of England. The character of James 1st, and of his court, and of Charles 1st, are so well given by Mrs. Hutchinson, and that of the former conduced so materially to the events in which the Forbes's of Culloden were actors, that we insert them: as to Charles 1st, it is probable that no prudence could have saved the monarchy from the storm and ruin which was ready to burst upon it at his accession.

"The Court of this King (James 1st) was a nursery of lust and intemperance. He had brought with him a company of poore Scotts, who, coming into this plentiful kingdome, surfitted with riot and debaucheries, and gott all the riches of the land to cast away. The honor, wealth, and glory of the nation, wherein Queene Elizabeth left it, were soon prodigally wasted by this thriftlesse heir; the nobility of the land utterly debased by setting honors to publick sale, and conferring them on persons that had neither blood nor meritt fit to weare, nor estates to bear up their titles, but were fain to invent projects to pill the people, and pick their purses for the maintenance of vice and lewdness; the generality of the gentry of the lande soon learnt the Court fashion; and every greate house in the country became a sty of uncleannesse. To keep the people in this deplorable security till vengeance overtook them, they were entertained with masks, stage plays, and sorts of ruder sports. Then began murther, incest, adultery, drunkenesse, swearing, fornication, and all sort of ribaldry, to be no concealed, but countenanced vices,—because they held such conformity with the Court example."—Again: "Those sermons only pleased, that flattered them in their vices, and told the poor King that he was Solomon; that his sloth and cowardice, by which he betrayed the cause of God and the honor of the nation, was gospell meaknesse and peaceablenesse; for which they raised him above the heavens, while he lay wallowing like a swine in the mire of his lust. He had a little learning, and that they called the spirit of wisdom; and so magnified him, and so falsely flattered him, that he could not endure the words of truth and soundnesse, but rewarded these base, wicked, unfaithfull fawners, with rich preferments, attended with pomps and titles which heaved them up above a humane height." Mrs. H. describes further the characters of the King and his minions, and the events to which they gave rise, with much spirit. Of Charles 1st she gives the following sketch, which, as the lady was a rigid puritan, must be admired for its impartiality.

"The face of the Court was much changed in the change of the King; for King Charles was temperate, chaste, and serious; so that the fools and bawds, mimicks and catamites, of the former Court, grew out of fashion; and the nobility and courtiers, who did not quite abandon their debosheries, had yet that reverence to the King, to retire into corners to practise them. Men of learning and ingenuity in all arts were in esteeme, and received encouragement from the King; who was a most excellent judge and a great lover

from the Laird of Mackintosh in 1625. During the civil commotions which disturbed the kingdom in the reign of Charles the First, and after the death of that prince, he seems to have adhered to the Presbyterian party, and to have aided all the measures in which the Marquis of Argyll participated; and from his situation as chief magistrate of an important town, his assistance must have been of much consequence. He died in 1654, aged 82 years, as appears by the following epitaph:

"Here lye the bodies of Duncan Forbes of Culloden, and his spouse Janet Forbes; lineally descended of the honourable families of Tolquhoun and Corsinday (5) respectively; who departed this life, viz. the said Janet, aged 66, upon the 8th day of November Anno 1651 and the said Duncan, aged 82, upon the 14th day of October 1654—

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lover of paintings, carvings, gravings, and many other ingenuities, less offensive than the bawdrys and prophane abusive witt which was the only exercise of the other Court."

She then proceeds to attribute the king's hostility to the puritans, which was greater than his father's, to the Queen, Laud, and Strafford; and to the flattery of the prelacy, which preached up his prerogative; likewise to his self-will, and great desire of uncontrolled power, more than to religious motives; for it was his principle (she says), that "an honest man might be saved in any profession." She is very severe upon Charles for his want of good-faith in his dealings with the puritans; which charge, indeed, cannot be said to want foundation.

Mrs. H. attributes the favour of Buckingham with James to no other merit except his beauty and prostitution; and says, it was believed, that the monarch died poisoned by his favourite *, for fear that his weakness should sacrifice him to his enemies. The peaceable end of his reign she thus describes: "The land was then at peace; if that quietnesse may be called a peace, which was rather like the calme and smooth surface of the sea, whose darke womb is already impregnated of a horrid tempest."

It must be owned, that there is a strong resemblance between the habits and reigns of James 1st and Lewis 15th, as to their private lives, the disaffection which their conduct made a legacy to their heirs, and as to the practices and vices of their courtiers. Their successors, Charles, and Lewis 16th, have been compared by many: both erred alike in one respect (which may perhaps be rather imputable to their embarrassing and multifarious transactions, than to themselves); viz. not acting as if it was requisite to keep rigidly their good faith with their subjects when enemies: this afforded the chief grounds of accusation against both princes. If Charles retains more of our esteem than Lewis, it is owing to his military career alone: both princes were privately virtuous; but Lewis deserved well of the French nation in many respects. The English nation does not appear to have received any boon from Charles: the heart bleeds for Lewis, because he might be called innocent at least of blood, was mild, and a benefactor to his butchers; it bleeds for Charles, because he was virtuous, magnanimous at the last, a warrior, and unfortunate.

[2] The families of Baillie of Dunean, and Frazer of Foyers, in Inverness-shire, are descended of this Duncan Forbes's daughters.

[3] This is mentioned as the case in Nisbett's Heraldry, and Shaw's History of Moray; and likewise appears in numerous letters of Lord Forbes to the president's father and grandfather.

[4] This estate had been but a short time possessed by the family of Mackintosh, during which the castle was begun and built up to the first story. It had previously belonged to a family of the name of Strahan; and before that, to one of the name of Edmestone, as is evident from the old sasines.

[5] This family is likewise descended from that of *Lord Forbes*. *Vide* Nisbett's Heraldry.

* Dr. Eglesham, the king's physician, confirms this; and likewise, that he poisoned the Marquis of Hamilton.

" These Polish'd Stones
Rais'd here above thy bones,
Add to thy honor not a whitt;
Which was before, and still remains, compleit.
Thy memorie will ever recent bee,
Preserv'd by such as draw their blood from thee;
Who in reguarde
Of thy good fame,
Receive rewarde
By claimeing to thy name;
For thy remains give honor to this place,
And thy true vertue honors all thy race."

In the year 1684, his son erected a monument to his memory, at the expense of £1000. Scots, in the chapel yard of Inverness. This (though it may not appear large when reduced to sterling money) was a very great sum in those days in point of efficacy; for, a variety of facts could be adduced to shew, that in the purchase of land a Scotch pound was then more efficacious than a pound sterling at present.[6]

Duncan Forbes was succeeded by his eldest son John, who was likewise provost of Inverness (we believe, member of parliament for it), and the friend and coadjutor of the Marquis of Argyll.[7] Upon the Restoration, although he escaped the unhappy fate of that nobleman, and of others who were put to death, still, his name being in the list of persons exempted from the Act of Indemnity, he was involved in all the vexatious and tyrannical acts of vengeance, short of death, which disgraced the reign of Charles the Second. He was severely fined, and both himself and family were tormented with every species of civil and ecclesiastical oppression. Misfortune, and experience of the

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[6] Duncan Forbes had a brother James, who became lord of La Faye, in France. About 1650, he was engaged in a law-suit, which, after lasting for ten years, seems to have ended in the destruction of his fortune. The judgment and passions of the judges appear to have been propitiated by every art of prose and poetry, Latin and French, in voluminous printed memorials; and the variety of procedure far surpasses that described in Racine's comedy *Les Plaideurs*. The litigants at last, in agony, call heaven and earth to witness the ruinous expense of the law-suit.

[7] Upwards of 18,000 persons are said to have been put to death in Scotland, during the reigns of Charles 2nd and James 2nd, for religious or political opinions. In the Marquis of Argyll's indictment, Cromwell's name is repeatedly mentioned in such indecorous terms as the following, which do his memory less dishonour, than they do to the want of dignity and propriety in the king's advocate:—" Monster of men and cruel regicide, Oliver Cromwell;" " Oliver Cromwell, that monster of men, vilest of traitors, most cruel murderer, bloody tyrant and usurper;" " Archtyrant and traitor;" " abominable traitor and usurper;" " vile usurper;" " cruel bloody murderer and usurper," &c. A few years before, the Scotch had resolved to erect a statue to Oliver Cromwell.

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world, had taught this monarch disguise and hypocrisy, without eradicating his cruel and tyrannical disposition; and as he hated the Presbyterians in Scotland, he saw no motives for not indulging his revenge against them. In England, the case was different; particularly at the beginning of his reign: the warriors of Naseby and Worcester had taught him to fear the valour of his enemies; and he long walked cautiously over what he thought covered fire, *ignes suppositos cinere doloso*. His question of "Where "are my enemies?" which he put upon landing, and which has been stated as complimentary, was probably dictated by his suspicions; and his first declarations, such as being most particularly fond of parliaments, and regretting not having funds to entertain the members, could deceive no man of sense, and, compared with the sequel of his reign, shew that fear (which the course of years removed) was alone the motive of all the seeming urbanity and facetiousness of his behaviour: on every occasion when he escaped from the impulse of this base feeling, he evinced an unbounded thirst for blood, and the exercise of undue power.

In the course of life it may be observed, that what is at first taken as a misfortune conduces often, when conscience directs the conduct, to our happiness in the sequel; and

"Oft the cloud which wraps the present hour
"Serves but to brighten all our future days."

The truth of this observation, if not felt by John Forbes, was at least evident to his family after his death. The frowning aspect of government, by introducing the habits of economical and private living, instead of hospitality and expense, into his family, must have conduced to the accumulation of his fortune; and about the year 1670 his landed estate was doubled by the purchase of the barony of Ferintosh, and the estate of Bunchrew*. He died about the period of the Revolution, leaving by his wife Anna Dunbar (a daughter, we believe, of Dunbar of Hempriggs, in the county of Moray) a large family, and was succeeded by his eldest son Duncan, who had received a very liberal education at Bourges, and in different parts of the Continent.

In 1685, the succession of James 7th to the throne seemed, if possible, to consign Scotland to a lower state of degradation and slavery than she had yet reached. It has been justly remarked, that in the former reign she enjoyed less freedom than the most despotically governed kingdom in Europe. The dreadful severities following the Rye-house plot, and the expeditions of Monmouth and Argyll, seemed to have extirpated the last champions, and stifled the last sighs, for liberty; and the nation exhibited

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* These estates were the patrimony of a son of Lord Lovat. The word Ferintosh signifies the Thane's land, it having been part of the thanedom of Calder (celebrated in Macbeth).

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the disgraceful appearance of being pleased with the chains which it could not shake off. James possessed, in darker or lighter shades, all the bad qualities of his brother, except his cunning; and had he been more open to good advice, less ardent, and less bigoted, these realms would possibly have been consigned for ages to political insignificance and slavery. Providence, however, ordained otherwise, and drew forth, from the infatuated folly and perseverance of the tyrant, the unlooked-for spirit and exertion which caused his overthrow.[8] Till the great blow was struck in England, much vigour of resistance to a government established by the bloody severity of twenty-five years could not be expected; and the Scotch nation[9] seemed rather willing to follow the course of events than to direct them: so true it is,[10] that the worst symptom of men reduced to slavery is, the loss of the desire of breaking their chains. It is but justice to Duncan Forbes to state, that he was among the first and the most strenuous of those patriots who, in Scotland, secretly prepared, or openly brought forward, those events which tended to produce the overthrow of the tyrant, and secured his exclusion; and as he was a member in the Scotch parliament, his decided love of freedom made

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[8] Several historians have attempted to decorate the character of James 2nd with personal courage; and his behaviour at the action of Southwold Bay has been quoted as a proof. That he was in that battle is certain, and in some danger; but how the conduct of a British Admiral quitting his ship repeatedly when hotly engaged, going on board Sir Edward Spragge's ship, and calling out, "Spragge, Spragge, they follow us still," can be reckoned any thing else than cowardice, we are at a loss to discover. The story of Brounker shews cunning, cowardice, and court intrigue; but this affair never was cleared up, as it ought to have been, by a court martial: how a court martial would treat these matters is known to every officer; we shall only contrast them with Nelson's conduct during the hottest fire at Copenhagen; —when he exclaimed, "It is warm work; and this day may be the last to any of us at a moment; but, mark you! I would not be elsewhere for thousands." James was equally careful of himself when shipwrecked in 1682, and at the battle of the Boyne, as at Southwold Bay; and no action of his life displays the smallest intrepidity. He has been said to have piqued himself upon a faithful regard to his word; yet his conduct to Major Holmes, and several others, shews that no dependence could be placed upon his good faith, when the life of a victim was to be saved. The cool cruelty, and unrelenting butcheries, in vain attempted to be laid to the exclusive charge of Jefferies, evince an ungovernable appetite for blood in this tyrant, who knew not how to pardon in any case. Hume's partiality to this king is wonderful.

[9] Torture, which was not abolished till after the Union, had been pretty rigorously made use of during the reigns of Charles 2nd and James 7th *. It may be remarked, that the practice of torture is only timorously mentioned as improper in certain cases, in the Scotch List of Grievances: the rest of the paper breathes no very exalted impatience of tyranny; and had not the genius of England carried Scotland along with it of necessity, there can be no doubt that the latter would easily have relapsed into her chains in spite of the Presbyterians.

[10] This is the remark of J. J. Rousseau, who compares a people in this state of slavery to those persons fabled to have been enchanted in the Island of Calypso, who lost all desire of extricating themselves.

* Poor Carstairs, the editor of the State Papers, was thumb-screwed in presence of the privy council; the lords directing the application of the torture to this poor clergyman.

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him a very conspicuous character in that assembly; and one, finally, not very manageable even by the ministers of King William or Queen Anne.

The year after the Revolution, his estates of Culloden and Ferintosh were ravaged by the soldiers of Buchan and Cannon, and the houses and other property destroyed, to the amount of £54,000. Scotch money, as ascertained by a regular proof. His hostility to the Jacobite interest was the avowed cause for those outrages; and his known merit in promoting the Revolution, no doubt, was the real cause of the favourable result of his claim for compensation by the Scotch parliament; which was made by a perpetual grant of a liberty to distill into spirits the grain of the barony of Ferintosh, upon paying a small specific composition in lieu of excise: the value of this privilege, and its fate, shall be stated hereafter.

The following extract from a journal of events kept by Mr. Forbes will shew how much his services were valued by King William:—" At that time I contrived the sending him (his brother John) to the Prince of Orange with our address, which took effect. I was in London in 1690, and wrote down scrolls of such letters as I would have his colonel write to Portland anent his officers; and by that means, and other management, got him made major of that regiment; the secretary Melville being zealous for Carlipp, and Mackay for his cousin Roubigill: the king, upon knowing that John was my brother, immediately caused write him down major, because he meant to gratify me, to whom he then looked upon himself to be beholden; nor would he be brought to alter it in favour of either Mackay or Melville."

Duncan Forbes was married to Mary Innes, daughter of the Laird of Innes, a family long established in the county of Moray, with the dignity of baronet; and which, through the female line, has lately succeeded to the dukedom of Roxburgh. By her he left two sons, John and Duncan (the Lord President), and several daughters:[11] he latterly served in parliament for the county of Nairn, and died in 1704. Of his brothers, John[12] was a lieutenant-colonel in the army, and Sir David[13] Forbes, of Newhall, an eminent lawyer. After his death, the Union in 1707 tended to smooth the asperity of many of the feudal remains of tyranny in Scotland, and to shed the influence of English independence and manners, and perhaps of English laws (at least

[11] From daughters of Duncan Forbes are descended Ross of Kendeace, Innes of Innes, and Urquhart of Burdzards.

[12] This Lieutenant Colonel John Forbes was employed (as he was at any rate going north) to carry the order respecting the Glencoe affair to Sir John Hill, governor of Fort William; and it is but justice to the memories of both to state, that they expressed their horror at the order when the letter was opened.

[13] Sir David Rae, of Eskgrove, is descended from Sir David Forbes's daughter.

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in criminal cases), over that kingdom; and the sources of future prosperity were prepared and rendered so obvious, that many who had opposed the Union became hostile to the dissolution of it afterwards, when it was agitated; of which number his son John Forbes, who was in parliament, was one. We shall now proceed to notice his *second* son.

Duncan Forbes was born in Inverness-shire [14] upon the 10th November 1685, and after being some time at the school of Inverness was sent at an early age to Edinburgh, where he prosecuted his studies at the different seminaries of that capital, and gave very early indications of that genius and application for which he was afterwards distinguished.

It has been repeatedly asserted, that he had a juvenile bias towards the military profession; which is not improbable, as he had an uncle and several other relations in the army. This inclination, however (if he really had such), does not appear to have been long entertained, as he commenced the study of the law in the chambers of professor Spottiswood in the year 1704; in which year likewise he lost his father, who was succeeded by John Forbes, his eldest son, in all his landed property. It was extremely fortunate for Mr. Duncan Forbes, that this loss was greatly mitigated by the care and unceasing friendship of his brother, who for the period of thirty years, during which he survived his father, appears to have behaved with the greatest affection and generosity towards him: of this conduct he had never cause to repent; and towards the close of his life had only to reproach his brother (as he indeed did) for the extreme delicacy which induced him to decline those marks of affection which he was ever ready to bestow.

Although Mr. Forbes had begun the study of the law in Edinburgh, the tide of celebrity had not yet reached its university, and he found it extremely ill appointed in teachers. This want induced all the young men, whose fortunes permitted them, to resort to those seminaries on the Continent which were rendered illustrious by the reputation of their professors; and at this period Leyden seems to have supplanted Bourges, a city which had formerly generally attracted the Scotch youth intent upon legal knowledge. Mr. Forbes therefore, after a short time spent in Edinburgh in studying the law, took up his residence in Leyden [15] in 1705, and applied with the greatest

[14] We are not certain, whether Duncan Forbes was born at Culloden or Bunchrew; but rather judge the latter, because his grandfather and grandmother occupied Culloden at the time of his birth; his father and mother living at Bunchrew till 1698, when his grandmother, who held the whole barony of Culloden as jointure, died.

[15] In a short Memoir of the life of President Forbes, lately prefixed to his Works, it is said, that he laid out his patrimony, £550. sterling, in commerce. This is possible; though, as he studied the law in

greatest assiduity to his studies under the professors of that university. Of the intenseness and success of his application in general, some judgement may be formed from the great extent of his acquirements in languages as well as law (which in the former comprehended the Hebrew and several other Eastern languages), and from his rapid rise into reputation and business upon his commencing practice. His conduct was, indeed, quite the contrary of that of almost all the English youths who resorted to the different cities of Europe, which were usually disturbed by the riot and debauchery of those striplings, who repaid the forbearance and politeness of the inhabitants with contempt and arrogance; and returned to their native country as ignorant as when they left it, but much more depraved; generally carrying nothing home but the absurdities and vices which they met with. As he states in one of his letters, "he bought his books, upon coming to Leyden, that he might make "use of them;" whereas with the generality of students the custom was, to make the payment of such articles a pretext for drawing money to defray other debts upon leaving the place.

In 1707 Mr. Forbes returned to Scotland, and to the study of the Scotch law, and was admitted Advocate on the 26th July 1709, when in his 24th year: a period somewhat late, if we consider how early his studies began, and with what success they were prosecuted.

The warm friendſhip of the family of Argyll, which had probably been instrumental in inclining Mr. Forbes to the profession of the law, did not long leave him unprovided; and he obtained the place of Sheriff of Mid-Lothian very soon after his appearance at the bar. The Earl of Ilay (brother of John Duke of Argyll), who was afterwards known as Archibald Duke of Argyll, took a very active interest in his success in life, and entrusted his most weighty affairs to his management and judgement at this early period: a compliment which must have been very advantageous and honourable to so young a man, from a nobleman of so high a character for discernment; since, as has been said of amusement, it may be said of business, that no man is a hypocrite to the loss of his own interest. The Duke of Argyll afterwards committed the direction of his

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in Edinburgh at the age of 19, and was engaged in the same pursuit at Leyden from the age of 20 to 22, and afterwards in Edinburgh again till 1709, when admitted Advocate, he must be supposed to have had little time for the pursuits of commerce. It is indeed true, that he might have adventured his patrimony in a commercial speculation, and lost it (as said in the Memoir), without being what can be termed *engaged* in commerce *as a man of business* before studying the law, as the memoir intimates that *he was*.

The Memoir accuses both Duncan Forbes and his brother of being *boxers* in their youth: that the elder brother was, may be true; but the younger had neither time nor inclination to merit such a title.

estates (during his own absence) to Mr. Forbes, which has probably given rise to the assertion, in some publication, that he acted as factor [16] for this nobleman; a situation (according to the acceptation of the word in Scotland) totally inconsistent with his views and habits of life, and which, it is probable, no consideration could have induced him to accept; and it is a fact, that the same friendship, which led him at first to give his advice and assistance in the absence of this noble proprietor, induced him to continue his exertions in the same line, and to the same extent, after he had risen to the first legal situations in the kingdom.

To his profession, therefore, he had chiefly to look for the means of his immediate expenditure; for although his brother was both rich and generous, yet a spirit of proper independence made him ever unwilling to be burdensome even to one whose greatest pleasure consisted in sharing his fortune with him; and his patrimony, although it might sound largely when counted in the merks or pounds of Scotland, yet, when reduced to sterling money, did not exceed an inconsiderable sum: the pride or prudence of the Scotch gentry having always strongly biassed them to sacrifice the comfort of the younger branches of their families to the splendour of the heir.

As Mr. Forbes, however, was allowed the first rank for eloquence at the bar, was extensively employed both in his practice before the Court of Session and afterwards before the House of Lords, had a natural turn for expense, and lived in the best company, we may infer that his emoluments were considerable; and we may be certain, that in the successful pursuit of a lucrative profession with unrivalled eclat, he felt the most agreeable sensation experienced by men of talents, that of owing little to interest or friends; for even friendship will not go the length of risking much for the sake of conferring the trifling obligation of a short employment; and though interest may elevate a practitioner to the bench, it cannot be supposed to assist him much at the bar. With the means of his livelihood greatly depending on his own exertions, he was not prevented from entering into the matrimonial state: he had been an admirer of the daughter of Hugh Rose, of Kilravock, in his own youth, and almost from her infancy; and the vicinity of the residence of the lady to Culloden must have afforded them frequent opportunities of improving their acquaintance. Though her family was among the most ancient, and the estates of her father ample, it is not probable that she added much to the pecuniary resources of her husband; but we have convincing proofs that she brought beauty and accomplish-

[16] The Duke of Argyll proffered to him the management of his estate in Scotland. This Mr. Forbes readily accepted; but declined taking any pension or reward, though he might have made £600 yearly by it. *Vide* Memoir prefixed to his Works.

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ments, which were all that he desired; with this lady, however, he was not long blessed; for she died young at no distant period after their marriage [17].

The death of Queen Anne, in 1714, opened the succession of the crown to the House of Hanover; and George the 1st lost no time in securing the possession of the government. The feeble and tardy efforts of the son of James the 2d created far less sensation than might have been expected, from the fairness of the opportunity, the number of his adherents, and the unpopular severity of some of the recent measures of ministry, both in England and Scotland. The standard of rebellion

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[17] This Lady, whose name was Mary, left him his son and successor John Forbes. She is much celebrated by a poet called J. Colme, who seems to have gained a livelihood by writing laudatory pieces in English and Latin verse.

Mr. Forbes did not marry after her death.—The present Mrs. Rose, of Kilravock, a lady possessing great literary and musical, as well as the more usual female accomplishments, favoured us with the following information: "His Lordship (the President) was not only an honour to his family, but to the human species; and we venerate, here, even a grey rock in the wood, where he used sometimes to meet his lady, on whom he made the beautiful verses beginning

"Ah, Chloris! could I now but sit
As unconcern'd as when
Your infant beauty could beget
No happiness nor pain, &c."

As a specimen of Mr. Forbes's abilities for light versification, we give the rest of this song, which gained many admirers in Scotland.

When I this dawning did admire,
And prais'd the coming day,
I little thought that rising fire
Would take my rest away.

2.

Your charms in harmless childhood lay
As metals in the mine;
Age from no face takes more away,
Than youth conceal'd in thine;
But as your charms insensibly
To their perfection press'd,
So love as unperceiv'd did fly,
And center'd in my breast.

3.

My passion with your beauty grew,
While Cupid at my heart,
Still as his mother favour'd you,
Threw a new flaming dart:
Each gloried in their wanton part:
To make a lover, he
Employ'd the utmost of his art;
To make a beauty, she.

was, however, at last erected; and for some time the affairs of Scotland bore a fluctuating and dubious appearance. The prince, for whose claim the rebellion was undertaken, made a late effort to reanimate his adherents by his presence, and a rapid and inglorious retreat; leaving his friends to the vengeance of their enemies. The silence of the laws amidst the din of arms has long been proverbial; but at this period they do not seem to have been attended to, even after the return of tranquillity. Many of those Scotchmen accused of joining in the rebellion were hurried off to England, there tried by English laws and juries, and the sentences of many executed with rigour. This epoch formed a very important one in the life of Mr. Duncan Forbes: the activity, the zeal, and courage of both himself and his brother, have been always acknowledged to have conduced much to the speedy suppression of the revolt in Scotland. They were greatly instrumental in securing the town of Inverness and the neighbouring country for government. The castle of Culloden [18] had been besieged, and was defended by the lady [19] of the proprietor during his absence in parliament, with a degree of intrepidity seldom equalled, even without considering the sex of the person attacked; and Mr. John Forbes had, moreover, expended £3000. sterling of his own fortune in the service of government, without receiving the smallest repayment. The services of his brother were known, and met with the applause of all the friends of the House of Hanover, as well as the public acknowledgments of several corporations. These circumstances, probably, suggested the propriety of proffering the office of Deputy Lord Advocate to him: an appointment which, by at once drawing him forward into public notice and approbation, secured his future elevation in life; it might indeed be called the tide "which, taken at the full, led on to fortune;" and we cannot suppose that Mr. Forbes was insensible of the danger attending the neglect of such an occasion: he possessed feelings, however, which would not allow him to attend to the suggestions of interest, when his conscience was dissatisfied: as

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[18] Lord Lovat gained great applause and rewards from Government, for his activity and courage in keeping the north country on the part of the house of Hanover in 1715-16. But Mr. Shaw informs us, in his History of Moray, that the Jacobite troops were expelled from Inverness by Hugh Rose, of Kilravock, whose brother was slain in the expedition: it was (he says) afterwards garrisoned by Kilravock and Culloden.

The dismantling of the citadel of Inverness by Charles II. greatly assisted the plans of the rebels, both after the Revolution, and in 1715 and 1745. This was a step which clearly shews the selfish policy of Charles II.; who, provided he gained the good-will of the clans, easily consented to dispense with the authority of the laws (which could not be maintained without force), and to leave the Highlands to anarchy and rapine. In return for this, he counted, no doubt, upon the help of the clans in forwarding his own plan of government elsewhere. The citadel was a neat small pentagon, constructed by order of Oliver Cromwell: upon the ramparts his standard displayed the word "EMANUEL," in golden letters.

[19] This lady was a daughter of Gordon of Gordonstown, Baronet.

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the Lord Chancellor Erskine has since so beautifully expressed himself, he made it a rule "always to do what his conscience told him to be his duty, and to leave the consequences to God;" [20] and, like that illustrious nobleman, he found it the road to prosperity. He for a long time refused the office, which was pressed upon him; and at last accepted it only through the earnest intreaties of his friends, and particularly of Lord Ilay. It is, indeed, probable, that his final acceptance of the deputation (12th March 1716) from Sir David Dalrymple, the Lord Advocate, was owing to his finding that the duties were not entirely for the purpose for which it was understood that the office was to be filled; viz. the prosecution of the persons confined on account of the rebellion. It is certain, that he considered the act of sending the accused out of Scotland for trial as highly illegal; and that he contributed largely himself, and used his influence with his friends to obtain money for the use of the Scotch prisoners at Carlisle; considering every man as innocent before conviction; and that it was a disgraceful thing for a Scotchman to behold, without assisting, so many countrymen in poverty and misery, when the defence of their lives, and of the fortunes of their families, required pecuniary aid.

The natural desire of self-preservation has, in every state, made the highest penalties attach to high treason, or the rebellion of the subject against the government. This crime, in point of moral turpitude, is, notwithstanding, of far less deep a dye, than many others for which trivial punishments are appointed. In the case of the rebellion of 1715, many allowances might reasonably be made for the persons who revolted against a government hardly clothed with possession, erected contrary to the expectations of those who were best acquainted with the designs of the former sovereign, and upon principles which would, at no remote period, have subjected the person promulgating them to the pains of high treason [21]. Though we detest the tyranny, and

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[20] Mr. Erskine, upon some important trial, had been desired by Judge Buller to sit down. This command produced the following answer, which every person entering upon life ought to contemplate:—

"My lord, I will not sit down—your lordship may do your duty; but I will do mine. It was the first command and counsel of my youth, always to do what my conscience told me to be my duty, and to leave the consequences to God. I shall carry with me the memory, and, I trust, the practice of this parental lesson to the grave: I have hitherto followed it, and have no reason to complain that my obedience to it has been even a temporal sacrifice; I have found it, on the contrary, the road to prosperity and wealth, and I shall point it out as such to my children."

[21] Even at so distant a period as 1718, commissions of Oyer et Terminer were opened at Perth, Dundee, Kelso, and in Fifeshire, to enquire into the treasons of 1715. The grand juries, however, did not forward the views of those instituting these measures (notwithstanding that lawyers were sent from London to support the prosecutions), and shewed a spirit of independence honourable to Scotland, and probably not looked for. In treating of some periods of our history, we might add to such a fact, "incredibile dictu!"

despise

despise the feeble and unworthy system of the Stuarts, still we cannot accuse of blindness men who could not behold, in the new plans of government, the results of freedom and vigour, which have for a century been enjoyed by these kingdoms, and elevated them to a state of glory, prosperity, and happiness, unlooked for by the most zealous advocate for the expulsion of the family of Stuart.

The conduct of Mr. Forbes, as might be expected, did not fail to draw upon him, in Scotland, the accusation of being secretly a Jacobite: it is possible, indeed, that a tenor of behaviour so little known before, might baffle even the zeal of most of his friends in his defence; for the invariable examples of nearly two centuries of civil discord, fomented by men without humanity or conscience, could present no action from which to draw a comparison. He likewise ran the risk of greater injury, from being misunderstood and misrepresented at court, where perfect subserviency has been too often marked by sycophants as the test of real zeal. A little time, however, put an end to the outcry; and he had the satisfaction of knowing, that he had to the utmost done his duty to his sovereign, without incurring the blame of any party.

Although for nearly 30 years after the suppression of the rebellion, in 1716, the adherents of the house of Stuart made but a single effort in arms (viz. that in 1719, which terminated with the battle of Glensheal) to disturb the reigning family, still a constant correspondence, and the missions and intrigues of many designing men, kept the vigilance of government continually excited. The situation of Mr. Forbes caused him to be particularly employed in observing and reporting the conduct of the mal-contents; and he had the address to detach many from the dangerous courses into which they were seduced. His influence and persuasion were constantly employed; and he continued to communicate them, through the intervention of friends, in many cases when it would not have been consistent with the office which he held to have appeared personally interested: so much more congenial to his nature was it to reclaim, than to punish.

In 1722 he obtained a seat in Parliament for the Inverness district of boroughs, which had been long represented by his brother[22]. The Duke of Argyll had, before this return, offered to procure his election for a district of boroughs under his own influence: the prospect of the Inverness return, probably, prevented this offer from being accepted. He continued representative for the Inverness district till 1737, when he was made President of the Court of Session. In 1725, Mr. Forbes was appointed to the office of Lord Advocate; a place to which, at that time, a salary of from £500

[22] This election was contested by Gordon of Ardoch, who, owing to some trick or partiality, was returned; but Mr. Forbes obtained redress, and, upon petition to the House of Commons, was declared duly elected.

to

to £600 a-year was attached. In this year likewise, the office of Secretary of State for Scotland being abolished, the correspondence regarding the civil improvements began to be carried on by Mr. Forbes. This was continued for several years, in a manner highly creditable to his enlightened understanding; and which evinced the most ardent patriotism, joined to a very correct judgement, and deep research into, and knowledge of, the real interest of his country.

Scotland, indeed, required at this period the assistance of men of the first talents and public spirit, to reanimate her agriculture, manufactures, and commerce, which had sunk, at the close of the 17th century, to the lowest ebb. The decline of these had rendered her, in all probability, more impoverished and less productive than during the 12th century; for those new arts, which could only afford the means of gratifying the luxury of a few individuals of the highest rank, diffused little life or comfort throughout the kingdom; but rather tended, by withdrawing its capital to distant markets, to add to the extent of national misery. For 150 years the kingdom had been torn by civil war and faction, or borne down by an indifferent and tyrannical government. The principles promulgated by the triumphant sectarians tended to alienate the mind from the care of the concerns of this life, as sinful, and as interfering with the providence of the Deity. The new clergy, notwithstanding the superior learning and talents of a few who led on the first attacks against the dominion of Rome, were not generally more learned, and were confessedly less versed in the arts of life, than their predecessors. The parliament, which during the reigns of the first five James's incessantly enacted measures in favour of agriculture, and for the benefit of the towns, almost entirely ceased to consider these objects as worthy of an attention which, it was pretended, a better world ought to occupy; while dissimulation, cautious timidity, and short-sighted selfishness, seemed to banish the antient national character. For 100 years the kingdom, by losing the presence of its sovereign, had lost that diffusion of riches, which a court, an opulent nobility, and a numerous gentry, occasioned during the happier period of its history. The culture of much of the arable land had been entirely abandoned; and what was still cultivated, either from negligence or ignorance, produced little; a scarcity of the means of life was always felt, and the terrible scourge of famine frequently spread horror and even death through the country. The cathedrals, the monasteries, and the palaces of the clergy, had long been in ruins; and the towns and the seats of the great landholders were falling fast into decay; while the kingdom possessed neither the inclination nor the means of repairing the ravages of time, neglect, and violence.

Such is a short sketch of the state to which the causes mentioned, and some others, had reduced Scotland. The civil wars of York and Lancaster had perhaps, in some degree,

degree, left England in a similar state of desolation [23]; but her soil and climate, and the genius of her inhabitants, being more favourable, her recovery was more easily effected.

To restore a country reduced to such a state of poverty was impracticable, without waiting for the gradual effects of time; but even to sow the seeds of future prosperity was a work of labour, requiring enlightened views, nice discrimination, disinterestedness, and patience [24]. The habits hostile to labour of a very obstinate people were only to be overcome by their experience of the sweets of industry; and even these, when seen, were often ineffectual, because the perverted principles of religion were called in to the aid of idleness. But even the wages of industry were difficult to be procured; there was little credit enjoyed in the kingdom; and those who had the means of raising money, wanted the knowledge and the desire of enlarging their fortunes by laying out their capitals on improvements, the advantages of which could not be immediate, and might be chimerical. This was the case with the landholders; but with those engaged, or who might be engaged, in commerce and manufactures the case was still more difficult: poverty was almost universal, and the want of trust in a proper return for industry and outlay was sufficient to deter the few who had the means of adventuring from risking their money. The recent event of Darien hung heavy upon the spirit of speculation; and it was a task of no easy accomplishment to draw the knowledge of arts and manufactures from those persons in other countries, who were liberally supported by the exercise of their skill or exclusive invention.

We are far from asserting, that every thing which has since rendered Scotland the wonder of every visitor; that what has covered her coasts with commerce, her hills with woods, her vallies with unrivalled cultivation, and reared her cities to a degree of splendour beyond the plans or ideas of the most visionary;—derived foundations alone from the labour of Mr. Forbes; but it is not too much to say, that the fisheries, almost every manufacture (particularly that of linen), the circulation of money, the agriculture, and opening of the country by roads, all derived their first great stimulus from his incessant exertions; so that (to use the expression of the President Dalrymple, when writing to him on the subject of the Bank) he might call them "his own bairns." Of late years, the patronising of such affairs has become little

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[23] Land had fallen so much in value at the end of these wars, that an historian of the time says, that estates of £100. a-year were given to adventurers by way of recompence, who would have preferred £200. in ready money.

[24] "When it is in agitation to form an estimate of the public power, the man of taste visits the palaces of the prince, his ports, his troops, his arsenals, and his cities; the true politician surveys the farms, and enters the cottage of the labourer: the first sees what has been effected, the second what it is possible to effect." ROUSSEAU.

more

more than an occasion for festivity, because it now requires only the labour of putting into motion those means which have been already acquired.

Mr. Forbes's plan of life was now materially changed; his time being divided between his duties in London and Edinburgh, and his retreat at Bunchrew, a small estate belonging to his brother in the district of Aird, within three miles of Inverness. His predilection for the country was, indeed, always observable: when his duty called him to England, he usually passed much of his time at Hampstead; and he, for many years, occupied a country seat near Edinburgh, called Stoneyhill,[25] which commanded an extensive view over the firth of Forth and the coast of Fife, and to which he retreated whenever the state of his business would permit him.

The year 1725 was remarkable for the commotions generally excited throughout Scotland by the introduction of the malt tax, which was finally enforced chiefly through the management of Mr. Forbes. These particularly bore a serious aspect in Glasgow, to which city a very large body of troops was sent; for it was justly suspected in this case, as in every other of civil disturbance at this period, that a spirit of Jacobitism was the chief stimulus to revolt[26]. Mr. Forbes accompanied his friend General Wade and the troops to Glasgow; and though the insurrection had risen to a great height, and was supported by persons far above the humbler walks of life, it was soon suppressed; the chief instigators, through the activity of Mr. Forbes, were arrested, and even the magistrates sent to Edinburgh. In paying him this tribute, we give no more than he received at the time from the voice of his country, and has received since from the impartial page of history.

During the 15 years that Mr. Forbes attended the House of Commons, his time must have been passed very pleasantly both in Edinburgh and London. His manners were extremely agreeable, his disposition was cheerful and convivial, and his opportunities of enjoying the society of those most respected for worth and literature were frequent. His uncle, Sir David Forbes, of Newhall, near Edinburgh, lived close to the estate rendered celebrated as the scene of *The Gentle Shepherd*; and a considerable part of his time was spent at the house of this gentleman, where, it is said, Mr. Ramsay composed and first recited his play before several friends, of whom the Lord Advocate was one. When in London, his attendance in the House of Commons, and at the bar of the House of Lords (where his practice was great), introduced him to the acquaintance of the most eminent persons; and there are few of the *viri laudati* of Pope with whom he

[25] Stoneyhill was the property of the famous Colonel Charteris. Mr. Forbes most ably exerted himself in his behalf in the trial for a rape; and from his gratitude obtained the use of Stoneyhill, with some parks around the house, gratis, for life. To this place he afterwards used to retire from Saturday noon until Monday morning; happy, with one or two companions, to avoid the opes famum strepitumque Romæ. He was left guardian to Colonel Charteris's heir.

[26] The highlanders were disarmed by act of parliament in this year.

was not intimate. He likewise reckoned among his clients two of the most remarkable of those whom that poet has lashed in his satirical writings; viz. Charteris and Timon (the Duke of Chandos); and it may be mentioned as honourable to him, that after his situation in Scotland withdrew him from the company of his English acquaintances, their expressions of regret at the loss of his society were such as shewed that the heart dictated, and that empty compliment had no share in, their praise.

During his residence in London, he had the satisfaction of befriending his countryman Thomson, who was then in great poverty and without a patron, and whom he had previously known by some of his writings in Scotland. The recommendations which the poet received from him to his numerous friends were of the greatest use, and emboldened him to publish his Winter in 1726; which poem soon introduced him to the acquaintance and patronage of many persons of rank and literary eminence. In 1727 his Summer, and in 1728 his Spring, extended his reputation; and his Autumn, which came out in 1730, with a complete edition of his works, raised his name to its highest lustre; for he never published any thing afterwards equal to his Seasons. In his Autumn he takes an opportunity, after his beautiful eulogium on the Duke of Argyll, to shew his gratitude to Mr. Forbes in a manner very judicious, and which must have been the more agreeable because there is nothing overstrained in the compliment.

Thee, Forbes, too, whom every worth attends,
As truth sincere, as weeping friendship kind;
Thee, truly generous, and in silence great [27],
Thy country feels thro' her reviving arts,
Plann'd by thy wisdom, by thy soul inform'd;
And seldom has she known a friend like thee [28].

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[27] The latter part of this line seems, however, but an aukward compliment to a real orator, such as Mr. Forbes.

[28] Mr. Thomson was not the only poet patronized by Mr. Forbes. He had himself a strong propensity towards poetry at every period; and wrote verses, at least of the highest standard of what are termed *vers de société*, at a very juvenile time of life. Those who possess real genius always feel, at the period when the sensual inclinations begin to gain force, a kind of soaring of the soul, as if it was emulous to keep pace with or to outstrip the impulse of the grosser passions: this gives birth to a thousand delightful deliriums and ecstatic hankerings after an undefinable excellence and happiness; a thousand noble and generous, lively, tender, melancholy, and aspiring thoughts, which Pope compares to those beautiful colours that sometimes appear to the eyes when shut, and which, once fled, cannot be recalled. Love and the muse may generally receive the first homage of genius of whatever kind; but these feelings are the real blossoms of true genius, even when those make but a transient impression: this elysium of the mind can only be felt by the favoured few, and never adequately described; each of these may exclaim at the time, because they feel it,

"Creation's heir, the world—the world is mine."

"Ask not what genius is; if you have it, it will itself tell you; if you have it not, explanation will be vain."—ROUSSEAU.

During

During his attendance in Parliament, Mr. Forbes generally supported the measures of Sir Robert Walpole; a minister whose character has, by his opponents, been stigmatised as corrupt to a degree formerly unknown in England. The eloquence of a Pitt might excite the resentment of a senate against the vices which he had the power either to create to the imagination in all their deformity, or to exaggerate by the splendour of his diction [29]. We may be certain, however, that his corrupt practices must have been chiefly directed to persons in the higher orders of life, and could not have been generally successful, without supposing a depravity so general as greatly to palliate the guilt of the minister: and when he retired to his woods, and drew comfort from the reflection that the beeches did not flatter, he had probably more cause for his disgust at the baseness of mankind, than the nation had reason in affixing so many imputations to his character. If we take it from Pope, we cannot but esteem the amiability of one of whom he says, and of whom Mr. Forbes might likewise have said—

Seen him I have, but in his happier hour
Of social pleasure, ill exchang'd for power!
Seen him, uncumber'd by the venal tribe,
Smile without art, and win without a bribe [30].

His son (the Earl of Orford), in drawing the character of his father, does not flatter when he calls him the mildest, most forgiving, and best natured of men. The nation owed him gratitude for establishing the House of Hanover on the throne; for 20 years of peace and internal tranquillity and prosperity; and for the confirmation of liberty by the exclusion of the Stuart race; under which, if at all tolerated, it is almost certain that it must have been sickly, mutable, and unproductive of any benefit. A long course of opposition at last deprived him of his influence in the House of Commons; and in 1741 he resigned his place, harassed by "clamours for liberty of which (Dr. Johnson says) no man felt the want, and with care for liberty which was not in danger." He died 40,000 pounds in debt, and had not fortune sufficient to leave his younger children much above indigence.

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[29] Mr. H. Walpole (who, it may be stated, was a client of Mr. Forbes) drew the following retort from Mr. Pitt, the sting of which was meant for Sir Robert Walpole: it is admirable for its ready eloquence, though Sir Robert was not the wretch described:—"I will not undertake to determine, whether youth can justly be imputed to any man as a reproach; but the wretch who, after having seen the consequences of repeated errors, continues still to blunder, and whose age has only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his grey head should secure him from insult: much more is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptations; who prostitutes himself for money which he cannot enjoy, and spends the remains of his life in the ruin of his country."

[30] A vast sum of money was known to have been expended by Sir Robert upon writers, for their praises and defences of his administration; these have all sunk into oblivion, while Pope's lines, which probably cost him or the nation nothing, remain.

Mr. Forbes passed that part of the year which was unoccupied in the south by the duties of parliament, or of his office, at Bunchrew. For this place, which lies close to the sea shore, in a wood of noble trees, and is extremely beautiful and romantic, he ever retained the warmest predilection, having passed much of his youth there. When he succeeded to his brother, he preferred it as a residence to Culloden; and many years after his death, his son wrote to his factor to shew Bunchrew to Dr. Armstrong; adding, "My father always had it shewn to those whom he loved." Although the size of this place did not admit of the largest scale of improvement, still it admitted of enough to form an example; and he was, probably, one of the first persons in the north of Scotland who demonstrated what might be effected by planting, liming, draining, and inclosures; in all of which improvements he was for many years assiduous and successful[31]. His brother, who became a widower in 1717, was extremely anxious that he should take up his residence at Culloden, and urged many arguments to induce him to give up a separate establishment in the north country. Although few brothers have lived upon terms of such uninterrupted harmony, it is easy to perceive good reasons why this offer was declined: there is something extremely fascinating in independence, however humble; and Mr. Duncan Forbes, probably, saw that the separation of a few miles would add mutual pleasure to the enjoyment of their society, instead of tending any way to cool their friendship. Of the manner in which the two brothers lived, we have a very good idea, from the narrative of an officer, whose letters have been published under the title of "Letters from a Gentleman in the North of Scotland to his Friend in London," &c. This gentleman, though extremely sarcastic, is yet generally very correct in his delineations: his account, most probably, was written a short time previous to the year 1730:

"There lives in our neighbourhood, at a house or castle, called Culloden, a gentleman whose hospitality is almost without bounds. It is the custom of that house, at the first visit, or introduction, to take up your freedom by cracking his nut (as he terms it); that is, a cocoa shell, which holds a pint, filled with champaign, or such other sort of wine as you shall choose. You may guess, by the introduction, at the contents of the volume. Few go away sober at any time; and for the greatest part of his guests, in the conclusion they cannot go at all.

"This he partly brings about by artfully proposing, after the public healths (which always imply bumpers), such private ones as, he knows, will pique the interest

[31] It may tend to shew the decline of agriculture in Scotland before this period, to state the fact, that, though Boethius mentions the country around Inverness as fertile in wheat, the author of the Letters from the North of Scotland says, "that a wheat-field would be as great a rarity as a nightingale in any part of Scotland, or a cat-a-mountain in Middlesex." At present, the most luxuriant crops of wheat, as well as of other sorts of corn, are produced around Inverness.

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or inclination of each particular person of the company whose turn it is to take the lead, to begin it in a brimmer; and he himself being always cheerful, and sometimes saying good things, his guests soon lose their guard, and then—I need say no more."

In another part of the same letter he writes: "This laird keeps a plentiful table, and excellent wines of various sorts and in great quantities; as indeed he ought; for I have often said, that there was as much wine spilt in his hall as ought to content a moderate family."

And in another letter he writes: "I shall now return to the neighbouring country. Here are but two houses of any note within many miles of us, on this side the Murray firth; one is the house of Culloden, which I have mentioned in a former letter.

"This is about two miles off, and is a pretty large fabric, built with stone, and divided into many rooms, among which the hall is very spacious.

"There are good gardens belonging to it, and a noble planted avenue, of great length, that leads to the house; and a plantation of trees about it.

"This house (or castle) was besieged, in the year 1715, by a body of the rebels; and the laird being absent, in parliament, his lady baffled all their attempts with extraordinary courage and presence of mind.

"Near adjoining are the parks; that is, one large tract of ground, surrounded with a low wall of loose stones, and divided into several parts by partitions of the same. The surface of the ground is all over heath, or as they call it heather, without any trees; but some of it has been lately sown with the seed of firs, which are now grown about a foot and half high, but are hardly to be seen for the heath[11]. The other house I spoke of, is not much further distant from the contrary side of the town, and belongs to the younger brother of the gentleman above mentioned. He is Lord Advocate, or Attorney-General for Scotland; it is a good old building, but not so large as the other; and near it there is a most romantic wood, whereof one part consists of great heights and hollows; and the brush-wood at the foot of the trees, with the springs that issue out of the sides of the hills, invite the woodcocks, which, in the season, are generally there in great numbers, and render it the best spot for cock shooting that ever I knew. Neither of these houses are to be seen from any part near the town.

"The gentleman of whose house I have last been speaking, were it not for a valetudinary state of health, and the avocations of his office, would be as highly

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[11] Seventy years after this letter was written, this wood was worth upwards of £10,000 sterling: some of the trees sold for five guineas.

pleased

pleased to see his friends about him at table, and over a bottle, as his hospitable brother [33]."

In 1729, Mr. Forbes was so fortunate as to engage in his service, as tutor to his son, Mr. Patrick Murdoch, who has since been known to the public by his *Genesis Curvarum Newtoni per umbras*—and other mathematical works, and a life of Mr. James Thomson [34]; with whom he long lived upon the most intimate terms. With this gentleman young Mr. John Forbes [35] was sent abroad; and, after some residence at Orleans and Montauban, went to Rome, and completed what is usually termed the grand tour. The friendship of the tutor and pupil remained unimpaired through life; and the former having obtained the living of Stradeshall, in Suffolk, through the friendship of Mr. Vernon, whose son he accompanied on his travels, had the satisfaction of receiving for many years the long and frequent visits of his first pupil, and of superintending the early education of his eldest son, Duncan Forbes, in his own vicinity; a youth who gave such a decided promise of eminence, that his premature death, after he had completed his studies at Harrow, was never mentioned by Dr. Sumner, the head master, without tears—*Si qua fata aspera rumpas,—tu Marcellus eris.*

Some time after Mr. John Forbes's return to England, he received, without solicitation, a commission from the Duke of Argyll in the Royal Regiment of Horse Guards, with which corps he served, with the greatest credit as an honourable and very brave officer, at Dettingen [36] and Fontenoy; at which last battle his horse was shot under him:—he was likewise present at the battle of Culloden.

Though Mr. Duncan Forbes had hitherto lived in the society of men distinguished for rank and talents; and though the education of his son, and his frequent change of residence, must have been highly expensive; his regular income, independent of his

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[33] It is certain, that this gentleman did not exaggerate the hospitality of Culloden castle. A hogshead of wine was kept constantly on tap near the hall door for the use of all comers; and it appears, in the account books of President Forbes, that, for nine months' housekeeping in his family, the wine alone cost a sum which, at the present price of that article, would amount to upwards of £2,000 sterling.

[34] Thomson, as appears from the sale catalogue of his effects after his death, enjoyed at last a degree of ease and luxury seldom the lot of poets. His house was well provided with furniture, plate, books, and a good collection of prints; and his cellar was stored with burgundy, red port, old hock, mountain, madeira, rhenish, and Edinburgh and Dunbar ale. Some of these lots were, probably, presents; we know one of them to have been a present from the President's son.

[35] It appears, that Mr Murdoch and his pupil rode to London. Mr. Duncan Forbes generally made that journey on horseback, summer and winter; as, indeed, almost all the Scotch members did. It is said, that John Duke of Argyll used to strap up the skirts of his coat round his waist, and dash through on horseback in the worst storms of winter.

[36] The Blues certainly did not add to their former high reputation at Dettingen (as they did at Fontenoy), owing to some mistake or surprise; but Mr. John Forbes, who carried one of the standards, was universally allowed by the army to have conducted himself, even in such circumstances, with uncommon courage, and singular coolness and propriety.

business, amounted to no large sum: his situation in this respect was improved in the winter of 1734 by the death of his brother, who, after a tedious illness, died of a complaint in his bowels, in Edinburgh. By this event Mr. Forbes lost a most affectionate friend; one who was by all his acquaintances esteemed a truly upright man, of considerable talents and knowledge of the world, and who had on all occasions acquitted himself, both in public and private life, as an enlightened and worthy member of society. As we find him at Brussels upon his travels, and his own master, in 1692, it is probable that he was upwards of 12 years older than his brother. He seems to have pushed his hospitality and conviviality to an excess which must have been sometimes burthensome to one who had to pass much of his life in his society; but, in this respect, the usual propriety of his brother's conduct did not forsake him: for while he, on one hand, shunned every excess unsuitable to his character and official rank; on the other, he avoided making his too rigid abstinence from convivial pleasures a satire upon the opposite mode of living at Culloden: he was, indeed, a friend to a cheerful glass, till near the close of his life, when his health became seriously impaired.

The estates to which he succeeded by this event[37] were ample and improveable; but, though Mr. John Forbes had not disposed of any part of the inheritance[38], he left it somewhat incumbered with debt; and his successor (who was no great economist, and, indeed, had little opportunity to economise) did not render those debts lighter, although he received several legacies.

Among the last events which grew into importance while Mr. Forbes filled the place of Lord Advocate, was the execution of Captain Porteous in Edinburgh, 7th September 1736, by a mob of persons, not one of whom could ever be brought to justice. This affair was, in itself, of no great moment; but, when connected with the intrigues and designs of the Jacobites, it drew upon the Government an appearance of contemptible imbecility, to which it was determined not tamely to submit; and in the steps which were taken to vindicate its authority, it must be owned that policy or resentment, rather than justice, seems to have directed the measures of Ministry. A bill in parliament, containing severe penalties against the city of Edinburgh, was the consequence of that determination: this was vigorously opposed by many of the English and all the Scotch members, and at last carried by a majority of only one. Mr. Arnot, in his History of Edinburgh, informs us, that even this

[37] Upon succeeding to the estate of Culloden, Mr. Forbes began improvements such as he had before carried on at Bunchrew. Among the rest, he established a manufacturing village of twenty families, and was at the expense of the machinery of each family: this village flourished till after his death.

[38] It may be the best mode of giving an idea of the value of these estates, to say, that they consisted of from 3,000 to 4,000 arable acres of good soil, and in a populous country and mild climate; besides the privilege of distilling whisky almost duty-free in Ferintosh, and several mills, salmon-fishings, and pasture grounds of great value.

would

would not have been the case, had not the Lord Chancellor [39] detained two Scotch members, who were employed in an appeal cause in the House of Lords, and so prevented their voting. This is hardly credible in such a man as Lord Hardwicke; but, if true, shews to what a height party spirit had arisen. As to the justice of the penalty inflicted upon the city of Edinburgh, perhaps it may be best estimated by asking the question (which was put by Lord Polwarth), whether such severity would have been exercised against any of the principal towns of England [40] for such an affair as that alleged, without any proof of criminality against the magistrates of Edinburgh?

This transaction was likewise attended by a disagreeable circumstance to the Scotch judges; three of whom were forced to attend at the bar of the House of Lords in their robes, notwithstanding a very strenuous attempt to obtain for them a seat next to the English judges within the bar.

Sir Hew Dalrymple, of North Berwick, after having presided over the Court of Session for near 40 years, died in 1737 in extreme old age. Mr. Forbes [41] had been long looked upon as his successor; and (as Lord Hardwicke states in his letter) the voice of

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[39] How differently Lord Hardwicke generally acted, may be inferred from the quotation of his biographer: "Etiam quos contra statuit, equos et placidos dimisit."

[40] Mr. Forbes interested himself with great ardour on behalf of the antient capital of Scotland, and concluded one of his speeches in the following words:

"Shall, then, the metropolis of Scotland, the residence of such an illustrious race of kings, who made it their greatest glory to dignify this noble city, be stript of her most valuable privileges, her guards and gates, for the sake of some unknown offenders; and a Scotchman calmly behold the havoc? I glory, my lords, to withstand so rigorous a procedure, and judge it my greatest honour to stand up in defence of my native country, when it is exposed to loss and infamy." His exertions tended greatly to get the severity originally intended mitigated in the bill which was passed.

[41] When Mr. Forbes produced his letter, appointing him Lord President, joy was visible upon every face. The Faculty of Advocates waited upon him in a body, to congratulate him on his advancement, and to thank him for his conduct as Lord Advocate. He is said to have repeated twice, with ardour, the oath of administering justice impartially, so much did his heart go with that part of his engagement; and ever afterwards, he made it a rule, to bring every proper feeling into the breasts of his brethren on the bench, when deciding any cause in which he suspected prejudice, by saying, in the most solemn and impressive manner, "By God's grace, I shall give my thoughts sincerely, and your lordships will judge in this matter as you will be answerable to God."

He likewise had the satisfaction of being able to restore a greater degree of decorum upon the bench than had been usual during the preceding presidency. The warmth with which the judges differed from each other may, indeed, be cited as a proof of the sincerity with which they delivered their opinions; but as these public disputations (for of such they had the appearance) seldom or never created a surrender of the tenets originally held by any party, it is certain that great good did not result from them. A calm delivery of opinions, and the grounds for forming them, instructs the parties concerned, without hurting the decorum so essential to the respectability of any court.

No man could shew greater patience and attention in hearing pleadings than Mr. Forbes did, or greater humanity and feeling; his voice was seldom heard until the period of decision; for he esteemed the maxim,

Vox judicis nimium interloquentis est campana malè sonans.

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the country called him to fill the vacant chair. His friends, indeed, who had the good of the kingdom at heart, were much more afraid that he might refuse the appointment, than that any other person would be advanced to the presidency, in case he chose to accept it. They knew that his health had long been precarious; that his love for study, and a country life, had always been great; and that so much was expected from the person succeeding to this office, that he might wish to decline engaging in a career always laborious, and now particularly the object of the hopes and observation of Scotchmen. These were some of the grounds upon which those who knew Mr. Forbes founded their fears [42]: and, if he had studied his own inclinations alone, there is no doubt that he would have preferred the ease of a private life, and the care of the improvement of his estates, to an office of responsibility and fatigue. The salary, £1,000 per annum, could not possibly be reckoned an inducement for his acceptance; for it was not sufficient to defray the expenses incident to an establishment in Edinburgh in addition to that at Culloden, independent of the great outlay which his hospitable disposition would lead him to incur, while living in the most conspicuous official rank in the capital. His sense of duty, however, prevailed over the suggestions of interest and personal convenience; and he was appointed Lord President of the Court of Session, by letter dated 21st June 1737. It is evident from the letters of several eminent men (among the rest, of the Lord Chancellor), that this Court had not for some time before enjoyed the highest consideration, from the course of its proceedings; and we have the same authority for stating, that this reproach was no longer due after it acted under the presidency of Mr. Forbes. This became evident to the Lord Chancellor, as his correspondence shews, from the different complexion of the judgements brought now before the House of Lords by appeal, to what they bore in former days:—The delay of justice, by the long arrear of causes remaining undecided before the court, was another great cause of grievance to the subject; this was likewise remedied; and, at no great distance of time from his entry upon office, the president had the pleasure, upon the closing of the session, to write to a friend, "that not a single cause ripe for hearing remained for decision [43]." When not

[42] A letter from Mr. William Murray (afterwards Lord Mansfield) shews the truth of the above statement, and that the difficulties and unworthy opposition experienced by Mr. Forbes made that eminent lawyer use all his influence to prevent his *resignation* in 1741. He compares *it* to "a General forsaking the fight in the hottest of the fire."

[43] This was effected by his causing a quorum of the judges to sit till the whole decisions were ready for his signature.

Several causes, which had been upwards of *twenty* years before the court, were disposed of in the very first session of his presidency; as well as many others which had from twelve to twenty years been lingering

not only the delay on this head before this period, but likewise long after the presidency of Mr. Forbes, is considered, great merit must be allowed to his exertions. We shall not enter into any discussion relative to all the regulations and changes made in the court of session for the better administration of justice during the ten years that he presided; it will be sufficient to state, that one of the first authorities of England calls them "the wonders he effected." We shall conclude by shortly taking notice of one benefit [44] which Scotland derived from his disinterested patriotism, which will of itself shew his countrymen of how much importance is the elevation to office of such men as Duncan Forbes. The causes in the inner house came on for decision according to a roll regulated by the president; so that, at his discretion, a cause long pending was often retarded, while one much more recent was brought forward; it is unnecessary to state to what length injustice and partiality might or did proceed from this latitude of preference being permitted; or with what plausibility it was easy to conceal injustice, or even to make it appear meritorious. With Mr. Forbes, a licence could no longer be tolerated which he probably had seen often abused [45]; and though his own power (a thing so difficult for men to part with) was diminished, he caused it to become a rule of court, that the rolls should be rigidly regulated according to seniority; by which means every cause came forward in its course, without favour or undue delay.

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on without any decision. These abuses occasioned his getting an act of sederunt passed, that no cause should be suffered to remain above four years in the parliament house: such a step must have destroyed at once the hopes of many iniquitous litigants, who found, in the old system of protracted procedure, ample scope for revenge, postponing the payment of just debts, ruining the hopes or finances of their adversaries, or for unjust possession of their fortunes, and an incalculable series of vexatious schemes of chicanery.

[44] We here state the change as to the regulation of the rolls according to the information of professional men, and believe it to be correctly given.

[45] In Mr. Forbes, the public had a constant and energetic protector against two of the most ruinous of practices, collusive chicanery and venal treachery: he was aware that there were many honourable men engaged as agents, who were hurt in public estimation by the conduct of the lower ranks of the profession, in which they did not participate. We may form some idea of the abhorrence in which he held chicanery *, from the expressions which he used to his friend Col. Forbes, in a letter written to him at the close of a session: "I am worked almost to a jelly by the rascally business to which I am tied." While, however, his horror and effectual resentment (for he never passed the smallest act of imposition without punishment) against those whom he saw collusively preying upon the fortunes of their clients were always exerted for the protection of those who had fallen into unworthy hands, he was remarkable for his kindness and encouragement of persons of merit and honest practice; and to many advocates of liberal minds and promising talents he shewed the fostering care of a father, repressing what was improperly audacious, and drawing forth the noble soaring of genius and eloquence, and every feeling of rectitude and virtue; so that many, who afterwards held the highest places and reputations, looked back to him with filial veneration and love.

* Where the rascally business to which the President alludes lay, is somewhat doubtful; some circumstances tend to acquit the agents *before* the court from being glanced at.

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The annals of the Scotch nation are extremely deficient in describing the establishment and the antient forms of the courts of justice. Normandy [46] enforced many of the original models for the English forms of law, since so much improved by the extended powers of juries; and we may believe that England supplied several of those as examples followed at an early period by Scotch legislators, without compulsion; it is certain, that trial by jury, in all cases, was the ancient birth-right of the Scotch; and it is wonderful, that so much darkness and uncertainty pervade our researches as to the exact period when that glorious privilege was mutilated. We may be certain, however, that the assumption of undue power by the government occasioned its disuse in civil causes; and one circumstance thoroughly favours this opinion; viz. that long after it had been suppressed near the seat of government, it lingered until the beginning of the 17th century in the remote extremities of the kingdom. That the inferior courts were hostile to the use of jury trials, we learn from the assertion of a member of the court of session, who very candidly shews the fact, as well as the reason for it: "That juries (says Lord Kaimes) wore gradually out of use in the inferior courts, will not be surprising, when it is considered, that an appetite for power, as well as for imitating the manners of our superiors, does not forsake us when we are judges." The first court of session was instituted in 1425, when Lord Kaimes presumes that juries were not employed. James the First was a very arbitrary prince; and it is not unlikely that he wished that the power formerly vested in juries should be transferred into the hands of judges of his own appointing. In the new regulations of the court of session in 1457 [47], at the appointment of the daily Council in 1503 (upon the abolition of that court), and upon the new institution of the court of session in 1532 [48], the use of juries in civil causes seems to have become obsolete.

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[46] Edward the 3d seems to have been the first of the Norman princes who conceived himself really an Englishman. Until his reign, the law proceedings were in the French language; as many of the phrases still are, in the king's answers to parliamentary bills, the names of courts, &c.

The old Saxon laws were, however, in a great measure preserved after the Conquest; and even care was taken to prevent them from sinking into disuse. Jury trial is insisted on in Magna Charta; but rather equivocally, as it is followed by "aut per legem terræ."

[47] One of the regulations of 1457 is as follows: "As tuitching the expences of the sd judges, the Lds of the 3 Estates thinks that the Lds of Session of thir awin benevolence sould bear their awin costis, considering the shortness of the time of their sitting, the quhilk is but fortie days, and peradventure in seven yeire not to come again to them." Some small perquisites, arising from fines, were however appropriated to the daily Council.

[48] Dr. Henry says, "The Court of Session was for some time very popular, and gave universal content. The judges acted with great modesty, caution, and even diffidence. When a cause came before them that appeared perplexed and difficult, instead of determining it themselves, they referred it to parliament for a decision. By degrees, however, they acquired greater confidence in their own abilities and powers: when a case occurred to which none of the existing laws applied, or, when applied, led to a

The forms of the Court of Session, as instituted in 1532 [49], have been said to be derived from those of the Parliament of Paris. Its establishment was a favourite measure, not only with the court, but with the clergy; who, no doubt, expected to derive additional power, from their judicial character, to check the innovations upon the dominion and tenets of the Roman see, which had already made an important impression throughout the kingdoms of Europe.

Cardinal Beaton, under whose influence the new court was formed, was not only himself a man of great talents for government, but he acted under the direction of a court remarkable for its policy and discernment. The religion of Rome fell in Scotland, and the other countries of Europe, through no fault of the heads of that church. The high clergy [50] were generally able and enlightened men [51]; and the names of Wolsey and De la Pole, and afterwards of Richlieu and Ximenes, among many other, might uphold the character for abilities of the Cardinals. The reputation of the church had been for

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rigorous oppressive sentence, they no longer referred it to parliament, but ventured to determine it themselves, by what appeared to them agreeable to the rules of natural equity and justice. The authority by which they did this, at first, had no name; but it came afterwards to be called their *nobile officium*."

Henry afterwards remarks, that the first appearance of this *nobile officium* "was very unpopular, and excited violent clamours that the property of the people of Scotland was at the mercy of fifteen men, who determined every thing by their arbitrary will and pleasure:" this took place, however, long after the first establishment in 1532.

The pope Paul III. gave a bull of confirmation, dated 31st March 1535, confirming the grant of 12,000 ducats made by the clergy; and power to the king to appropriate benefices to the amount of £200 sterling per annum. The judges were likewise exempted by the pope from the jurisdiction of all prelates, and he took them under the immediate protection of the see of Rome. One half of the judges, and the president, were at first of the clergy; which rule was followed for more than thirty years, from 1532. The first president was Milne, abbot of Cambuskenneth. In 1543 he was succeeded by the bishop of Orkney; who, in 1665, was succeeded by the bishop of Brechin. In 1566, Baillie of Provand was president.

[49] Arnot says, "The Court of Session possesses a jurisdiction and exercises powers so extensive, as not to be exceeded by those of any free country." Again: "The chief circumstances which make their power important, and may some day render it formidable, is, that they are judges both of law and fact; and neither in their civil nor criminal capacity do they ever hold trials by jury. This material circumstance is clearly an innovation in the law of Scotland. The old laws and statutes every where make mention of trial by jury, in matters civil as well as criminal: that of trial by peers was, in both nations, what it continues to be in England, a fundamental law of the country." He further observes (quoting some instances), that from the general proceedings of the Court of Session it would appear, that the supreme judges in Scotland are extending, both in their own and the inferior judicatories, the latitude of trial without jury. He makes several other remarks on this subject, which we abstain from repeating, as not necessary to this memoir.

[50] Sir Ralph Sadler found among the high clergy the only men of wit and policy in the kingdom, the nobles even being perfectly deficient in those respects when he visited Scotland in the reign of James 5th.

[51] Sir David Lindsay does not approve of the conduct of the court of session in his time (James V.), and more particularly of the clerical part of it. Sir Richard Maitland complains, about 1580, of the small and casual fees of the lords of session, as well as of the great length of law-suits. Some severe acts were made about that period against persons murmuring at the decrees of the court of session, as well as those of sheriffs: this, probably, is the epoch alluded to by Dr. Henry.

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centuries vilified by the vices and ignorance of the lower order of the monks, into which dissolute persons found an easy admission. These, it was foreseen at Rome, would cause its downfall; but the frequent attempts to reform the monasteries proved unequal to the urgency of the times, and the temptations which their riches offered to the cupidity of the powerful, whose religious zeal was rewarded by the spoils of the establishments which they overthrew. It will, perhaps, appear surprising, that during all the storms which succeeded the re-establishment of the Court of Session in 1532, that body, originally founded with most ample powers [52], not only preserved them unimpaired, but greatly added to them, by profiting by the opportunities which the events of the times presented. Mr. Arnot justly remarks, that in Scotland the "contest was for power." The Scotch leading men were not employed in breaking the fetters of usurped controul, and hewing them link from link; and the predominating parties found the Supreme Court generally disposed to forward the views of government [53]. As liberty has been acknowledged to be of so precarious a nature, as to require a law every ten years directly in its favour, to maintain it without decline, and as it is the most essential attribute of power to desire to extend its own limits, we may blame the ruling men (rather than the court itself) in those tempestuous epochs, for preferring the convenience afforded by the ample powers of the judicial body employed in their support, to the general principles which were more successfully established in England, and which formed the source of the riches and glory of that kingdom.

The general character of President [54] Forbes; his known love of freedom, evinced during his whole life; his voluntary surrender of personal influence; and likewise the

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[52] The Court of Session has been said to have jurisdiction (though not affecting life or limb) as extensive as that of perpetual imprisonment; but the treatise of a learned and eloquent lawyer, J. P. Grant, Esq. M. P. shews, that, with a little management, it extends in effect, and has lately been pushed even to the extent of necessarily procuring sentence of death. Vide pages 17 and 18 of the Observations, &c. on the Constitution, &c. of the Court of Session.

[53] Cromwell's judges were very popular with the Scotch, notwithstanding their being strangers. Lord Hales has stated an instance of very shameful interference by the Protector's government, to make them decide a cause against an obnoxious litigant: this, on the whole, does not, on comparison, hurt these judges; for if, even with such a blemish as giving the cause as ordered, their popularity remained the greatest, the inference is obvious.

In 1674, three advocates were "debarred" by the Court of Session "from their said function," for not disowning on oath their share in appealing to parliament against the interlocutors of that court; as were 40 others, for deserting their attendance on the house, and refusing to return, when the Lords were sitting on the day the sentence on the above three was intimated."

[54] It is probable, that no individual, in any kingdom of Europe, possesses more real power (if we allow for his influence over his brethren as their head,) than the president of the Court of Session; and we may take the remark of Lord Cornbury to President Forbes as just: "That the property of Scotland is entrusted to him." It is certain, that President Dalrymple thought himself ill used, when a judge was appointed to his court without his recommendation, as his correspondence shews. The memorandum.

the wish expressed to him by Lord Hardwicke, that the laws of the two countries should be assimilated; strengthen our motives for believing that he was a friend, even at the period during which he presided over the Court of Session, to the extension of the best birth-right of Englishmen to his own countrymen. That the sagacious character of Scotchmen, enlightened by education beyond the natives of any other country, renders them highly fit for the exertion of this privilege, will hardly be denied by its enemies; and those laws which originally derived their activity and vigour through the aid of Juries may surely be made capable of enduring them again. Already has the second Aurora of this dawn of freedom been hailed by the wishes of the Scotch nation; and gratitude, proportioned to the greatness of the expected benefit, been silently paid to the persons desiring to present it. May we have cause to rejoice at the unclouded rise of the genial day; and casting our eyes around all our islands, encircled as they are by that ocean which has so often borne our triumphs, perceive but one scene of prosperity and loyalty, and one system of liberty and law, pervading the whole[55]!

Arduous as the duties of his office were[56], they did not withdraw Mr. Forbes from the lively interest which the other public concerns of the nation excited: his talents

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memorandum found in the papers of Judge Hale is so much to the honour of a person, in somewhat similar circumstances, that we shall here insert it:

"THINGS TO BE HAD IN CONTINUAL REMEMBRANCE.——That in the administration of justice, I am entrusted for GOD, the King, and the Country; and therefore that it be done uprightly, deliberately, resolutely: That I rest not upon my own directions and strength, but that I implore and rest also upon the strength of God: That in the execution of justice, *I carefully lay aside my own passions*, and *give not way to them, however provoked:* That I be not biassed with compassion to the poor, or favour to the rich, in point of justice: *That popular or court applause, or dislike, have no influence in any thing I do in the distribution of justice:* That I be not solicitous about what man shall think or say, so long as I keep myself exactly according to the rules of justice."

[55] Should the enlightened minds of an Eldon, an Erskine, and a Romilly, espouse this subject (*ingenti perculsi amore*), success would not be doubtful. Liberty is almost always established by one great exertion, calling forth the whole energies of an abused nation; it is gradually lost by the partial restraints and encroachments of its crafty enemies taking advantage of fit opportunities, and under pretence of public good and expediency. No step in favour of freedom is ever established to counterbalance these, for power never will restrict itself. The natural and inevitable consequence therefore must be, the decline and extinction of liberty at last, unless steps be taken to reinvigorate it.

[56] To President Forbes the country owes the first effectual exertion to arrange and save the public records from the destruction to which they were fast hastening, from neglect and damp. The register office was the work of an after period; but there is no doubt that his indefatigable representations first established the necessity for the new edifice. The Scotch records have been uncommonly unfortunate. Edward I. carried off or destroyed many; and Cromwell sent those he could secure to England. After the Restoration, by far the greater part was lost at sea, coming back to Scotland; and the few casks of deeds which were saved from that disaster were fast decaying when President Forbes extended his care to them. He seems likewise to have taken a vast deal of trouble in arranging and ascertaining the different claims of the peerage.

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and zeal were ever ready for the benefit of his country; and it may surprize our readers, that they were exerted on such a subject as the too frequent habits of smuggling, by which the revenue was most enormously defrauded. On this subject he wrote a pamphlet, which at least obtained the full approbation of those most competent, from office, to judge of its merits. In 1738, the war which afterwards broke out with Spain began to cloud the political horizon. It was easily foreseen, that Britain would not long have to contend with that power alone; and the intrigues of the Jacobites in the Highlands made it probable, that some attempts would be made in favour of the exiled family. These contests had always been, in his eyes, the *bella nullos habitura triumphos*; and he was sensible how much more easy and creditable to Government it would be, to prevent them by eradicating the causes, than to obtain the most decided success in quelling rebellion by force of arms. No man knew so well the state of the highlands, for he was beloved and looked up to by every family of any note there, and intimate with by far the greater number of them: he knew that the Pretender's interest did not keep its ground so much from any attachment to a prince of whom they knew little, or from any motives of religion or interest, as from the neglect of Government, and the desire, and almost the necessity, of being called forth into active military life. This was the real stimulus to every insurrection which had hitherto taken place, and to that in 1745; which at last, though too late, convinced the country, that Mr. Forbes had made known both the disease and its remedy *. He this year submitted to Ministry a scheme for raising 4 or 5,000 men in the highlands, and recommending that the chiefs of clans, and other leading gentlemen, should receive the commissions. The value of such a force was obvious; for while it drained the disaffected districts of the means of hostility, it would tend greatly to conciliate the highlanders, and place in the hands of Government in distant stations the most ample security for the tranquillity of the most suspected districts. Lord Ilay approved of and presented the plan, which likewise met the sanction of Sir Robert Walpole: but the clamours for liberty, and against a standing army (which the party in opposition had kept alive), rendered the cabinet timorous; and the fear that Sir Robert's enemies might find a colour for converting the highland levy into a design upon the national freedom, prevented its adoption.

Long after the death of President Forbes, Lord Chatham called forth military virtue from the mountains of the North; his motives then wanted the impulse of fear of

* It might be truly said of the highlanders, that they were "cut off from glory's course, which never mortals were more fond to run." A reference to Marshall's Life of Washington will shew how high an opinion that great man entertained of the highlanders as soldiers: he had served both with them and against them; and no man formed his opinions with greater justness. That part of his army which he thought would have to encounter them, it is known, was ever the object of his peculiar care and anxiety.

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internal danger, for the Stuart family had no longer partizans or intrigues in the highlands. The call was obeyed, and the fields of America, of India, Flanders, Germany, Egypt, Italy, and Spain, can give testimony that he did not err. A highlander may be excused if he feels some warmth in glancing at the days of glory of his countrymen; of those bands which have equalled in discipline and valour the legions of Rome; whose courage, patience, and persevering ardour, have never been subdued by the greatest dangers, by the extremes of every climate and privation, or by the most lengthened opposition; and whose matchless hardiness of body has enabled them to urge their way

"Unhurt thro' every toil in every *clime*."

The death of the Emperor Charles 6th, in 1740, involved Europe in what may be termed a general war; and Great Britain and France (though no war was for some time declared) viewed each other with hostile eyes. At length an invasion in favour of the Pretender was resolved upon by France; and in 1743, 13,000 men, under the orders of Marshal Saxe, were collected for the expedition. This plan, partly owing to a storm, proving abortive, these forces of France were employed in Flanders; the attempt at invasion, however, caused war between the two countries to be formally declared in March 1744. Although the first plan of the French government had been abandoned, the young Pretender would not drop his intentions of trying his fortune in Scotland; and though his means of success were very different from what were originally intended, the event of the battle of Fontenoy (May 11, N.S. 1745,) induced him to make the long-meditated attempt; and with only seven adherents, £4,000 in money, and 2,000 stand of arms, he landed on the 25th of July in a remote and lonely bay of the West Highlands; where collecting 2,000 men, he hastened his march to the south. The news of the intended attempt had (but obscurely) been received at Edinburgh, when President Forbes hurried down to Inverness-shire, in order to use his influence in confirming the well-affected, and conciliating or awing the Jacobites. No man could be better qualified for this duty; for while he possessed the utmost confidence of the friends of Government, its enemies were disheartened by his imposing dignity of character, and inclined to listen to the admonition of one whose wisdom had long been admired, and whose friendship and urbanity had often been experienced in the course of 30 years during which he held offices of distinguished authority in the kingdom. Many families and their followers he secured to Government; and even into several of those which he could not bring over to a cordial co-operation, he infused so much conviction of their danger, and the little hopes of their schemes being successful, that the Pretender derived no benefit from their countenance. We shall here give the narrative of Mr. Smollett, which is extremely correct in every point, in his own words; "Several powerful chiefs in the highlands were attached

attached to the Government, and exerted themselves in its defence. The Duke of Argyll began to arm his vassals, but not before he had obtained the sanction of the Legislature. Twelve hundred men were raised by the Earl of Sutherland; the Lord Reay brought a considerable number to the field; the Grants and Munros appeared under their respective leaders for the service of his Majesty. Sir Alexander Macdonald declared for King George; and the Laird of Macleod sent two thousand hardy Highlanders from Skye, to strengthen the same interest. These gentlemen, though supposed to be otherwise affected, were governed and directed by the advice of Duncan Forbes, President of the College of Justice at Edinburgh; a man of extensive knowledge, agreeable manners, and unblemished integrity. He procured commissions for raising twenty independent companies; and some of these he bestowed upon individuals who were either attached by principle, or engaged by promise, to the Pretender. He acted with indefatigable zeal for the interest of the reigning family, and greatly injured an opulent fortune in their service. He confirmed several chiefs who began to waver in their principles; some he actually converted by the energy of his arguments, and brought over to the assistance of the government which they had determined to oppose; others he persuaded to remain quiet, without taking any share in the present troubles. Certain it is, this gentleman, by his industry and address, prevented the insurrection of ten thousand Highlanders, who would have otherways joined the Pretender; and, therefore, he may be said to have been one great cause of that adventurer's miscarriage."—To enter into a minute detail of the Pretender's campaigns will not be necessary to elucidate the services of the Lord President. It may be shortly stated, that in military conduct the Prince far surpassed the two first generals who opposed him (Sir John Cope [57] and Hawley [58]), men, indeed, of very ordinary capacity. His march to Edinburgh, and his disposition previous to and at the

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[57] Sir John Cope's conduct was looked upon by the President (who only saw him during his campaign in Inverness for a short time) as partly excusable, from the state of the country, and the little support he met with; as well as from the condition of his troops, which were not numerous or of the best description: but his leaving the capital, and all the south highlands and the lowlands, open to the Pretender's irruption, seems very unaccountable conduct; for if he did not think it prudent, after advancing so far as he did, to engage the highlanders at all, or particularly in the heart of the mountains (at Dalwhinie), he could easily have fallen back upon Perth, Stirling, and the Forth; and even after the rebels had passed him, and gone towards the Forth, he might have stopped their reinforcements, by occupying the passes of the highlands. His march to Inverness, and afterwards to Aberdeen, with his subsequent embarkation, appear to be inexplicable upon any principle of common sense; as was his not materially changing his position the evening or night before the battle of Preston, when he clearly saw that the rebels were moving close to him, and watching their opportunity to rush in upon his army, which they did at day-break.

[58] Hawley had served at Sheriffmuir as major of dragoons, and held the highlanders so cheap, as to have often boasted, that with two regiments of dragoons he could ride over their army. Falkirk gave him a woeful lesson of the danger of too great confidence. General Huske is said to have saved the army by his courage and prudence. Hawley had 14 battalions of infantry, besides artillery and cavalry, at Falkirk.

battle of Preston, were bold, decisive, and masterly. His march to Derby, and retreat into Scotland, were likewise well conducted; by which result, however, it was ascertained beyond a doubt, that his experiment could not succeed, since a formidable rising in his behalf in England could alone give it any chance of permanent success. The battle of Falkirk would have been a complete victory, had he followed up General Hawley to Edinburgh; a step which, considering the desperate state to which his affairs were verging, it is wonderful that he did not take; as by it he might probably have entirely destroyed his opponent's army before the arrival of the Duke of Cumberland. The retreat to Inverness was a measure for which it is not easy to find a good cause; and his choosing for the field of battle (for he had the choice of one) the open plain of Culloden, with hardly any artillery or cavalry, before an enemy well provided with both, and waiting the event of a battle with his troops wet, hungry, and dis-spirited, while one quarter of them were absent in Inverness, and great supplies of troops marching to join him, are circumstances which greatly sanction the idea that his advisers were tired of their employment, and resolved to hazard every thing rather than prolong a defensive contest. The march towards Nairn the night previous to the battle, had it been persevered in, would probably have proved successful; for nothing could have prevented the highlanders from falling among the Duke's army, hand to hand; and a victory might have been snatched in this way, as it had previously been done at Preston: no sufficient reason has ever been given for the abandonment of this last chance for even a protracted occupation of Scotland [59].

The unfortunate grandson of James 2d, after his defeat, fled from the field of battle to the West coast; whence he escaped to the Hebridean islands, where he wan-

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[59] It is well known, that the firm but temperate conduct of the President Forbes, his extreme influence with his countrymen, and his patriotic exertions, even to the sacrifice of his private fortune, were the main instruments of the suppression of the rebellion in Scotland in 1745-6; and that had his enlightened counsels been attended to, and his provident precautions adopted, the seeds of rebellion had in all probability never sprung to light, and the country had been spared the misery which it actually endured. It is needless, and perhaps might be invidious, to enter into the reasons why the eminent services of this great and good man were treated, on the part of government, with a neglect, ingratitude, and injustice, which leave a stain upon the annals of the times. Extract from Lord Woodhouselee's Life of Lord Kaimes.

So much surprise was excited by the neglect of ministry to the services of Mr. Forbes, that many stories have been told, few of which are probably true, in order to account for it. Among these is one, that the Duke of Cumberland and he had some misunderstanding in Inverness; another, that his favour declined upon his answering the king in the affirmative, when asked about some persons said to have been put to death in Culloden-house by the royal army.

The story of the ministers asking him for his accounts, instead of conferring any mark of approbation on him, and of Mr. Forbes retiring in silence, has probably a foundation in truth. It is certain, that the King received him in the most gracious manner, and thanked him for his services: this last term has, however, a meaning, in such a case, rather equivocal in the English tongue; and so decidedly hostile to the merits of the person thanked in the French language, that to be thanked and discarded are equivalent terms.

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dered for a considerable time, and met with a variety of adventures; several times narrowly escaping from falling into the hands of his enemies. At last, he found it expedient to return to the main land, in order to avoid the search of his pursuers; and for several weeks, he met with a retreat upon Benalder, a mountain in the centre of Scotland, between the countries of Athol and Badenoch. Whilst at this place, he received intelligence of the arrival on the West coast of a vessel which had been sent for his deliverance. In this ship he embarked in September, and in a few days terminated his expedition by a safe arrival in France. His military career, his adventures, and his misfortunes, excited a lively interest among the European nations, and have been raised by the pens of several men of genius to a kind of romantic grandeur which the sequel of his life was far from justifying. We cannot, however, without pride, mention the astonishing fact, that though the sum of £30,000. sterling was long publicly offered for his apprehension, and though he passed through very many hands, and both the reward and his person were perfectly well known to an intelligent and very inquisitive people; yet no man nor woman was to be found capable of degrading themselves in earning so vast a reward by betraying a fugitive whom misfortune had thrown upon their generosity. This fact may surely repair the injury done to the Scotch character by their leading men delivering up Charles the First to his enemies. When we compare it with the numerous instances, both in ancient and modern history, of the want of gratitude, good faith, and humanity, experienced by princes from their equals and their subjects in the decline of their fortunes, we cannot withhold our expression of the warmest admiration of these poor Highlanders; and, comparing their exalted morality with the standard of virtue and principle in use among so many classes of mankind more favoured by fortune, we are tempted to exclaim with Mr. Pope,

> "Blush, grandeur, blush; proud courts, withhold your blaze;
> "Ye little stars, hide your diminish'd rays."

During the expedition of the young Pretender to the South, the Earl of Loudon occupied Inverness with a small force; and the Lord President remained at his castle of Culloden, preventing as much as possible supplies from leaving the Highlands for the Jacobite army. He lived surrounded by the enemies of the government; and the castle of Culloden was attacked by a party of the Stratherick Frasers, who intended either to take him prisoner or to put him to death. This plan failed, owing to the spirited reception which this body of men met with from the artillery and small arms of the garrison which defended the castle under Mr. Forbes's own direction. Lord Lovat has been accused of having prompted this attack; and his conduct, long suspected, grew at last so unguarded, that it was deemed proper to secure him, which was

effected by the President [60] in person, at a considerable risk. As the town of Inverness, however, was chiefly occupied by his clan and adherents, he contrived by their assistance to escape from the place of his confinement in a few days after he was taken up. Whether, or not, he really gave his countenance to the attack upon Culloden castle, must remain somewhat doubtful; he ever denied it himself; and the marks of friendship which he had often received from the father of Mr. Forbes, as well as from his brother and himself (which he always seemed proud to acknowledge), tend to induce a belief that he was innocent in this respect. So much has been laid to the charge of this nobleman, that he seems very little indebted to the voice of fame; and the warm affection which such a man as Mr. Forbes long entertained for him, of itself, renders it extremely difficult to believe many of the acts of which he has been accused [61].

The march of the Jacobite army towards Inverness forced Lord Loudon, early in 1746, to retire into Sutherland; whence he was compelled, after a skirmish with the Duke of Perth's troops, to pass over to the Isle of Sky. The Lord President accompanied him in this retreat, and remained with the King's friends in that island, till the battle of Culloden [62] (16th April) restored peace to the kingdom. In July following, the Court of Session met, after having discontinued its sittings nearly a year.

During the occupation of Inverness by the rebels (though it does not appear that much wanton mischief was done), the estates of Culloden and Bunchrew were both

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[60] Lord Lovat was brought into Inverness in the same coach with the Lord President; and, it is said, entertained strong hopes of a rescue by his clan. Persons who saw the carriage passing have assured us, that he took several opportunities of stopping on the road, and was with difficulty made to re-enter the coach.

[61] Lord Lovat certainly possessed qualities that, in a different state of society from that in which he was brought up, and in different circumstances of life, would have insured him respect. He seems to have been always courageous and active, and was at last magnanimous. His natural abilities were excellent; and his address, accomplishments, and learning, far above the usual lot of his countrymen, even of equal rank. With the civilized, he was the modern perfect fine gentleman; and in the north, among his people, the feudal baron of the tenth century. Duplicity and circumvention, as well as the most atrocious cruelty, were almost universally practised in the northern districts of Scotland during his youth, when he had rather a difficult part to play.

[62] It is certain, that very great outrages were committed by the Duke of Cumberland's army after the battle of Culloden. Many of the houses in Inverness (among the rest, one of the President's) were destroyed for the sake of fire-wood, and many burnt in the country; and several persons were shot among the mountains, or otherwise put to death, by the soldiers. This, perhaps, could not be entirely prevented; it is certain, however, that President Forbes most strenuously exerted himself to put a stop to these proceedings; and his remonstrances were, it appears, very ill received by Lord Albemarle and some other officers. No blame can attach to the Duke of Cumberland for these outrages The Court of Session at last interfered, to put an end to the illegal proceedings of the soldiery

plundered

plundered of plate, wine, corn, cattle, and of every other article of any use to the soldiery, to a great amount, notwithstanding the written protection granted by Lord George Murray.

Having attempted to give a short sketch of this rebellion, as far as concerns Mr. Forbes, it becomes a painful task to allude to the ingratitude with which his eminent services were repaid by the ministry. How much his Sovereign trusted, and with how much cause, to the efficacy of his exertions, the letters of Lord Stair, and many others in high employment, can bear testimony; for each of them seemed to think,

Cresceret que mihi ex eo ipso fiducia quod possit in hominis unius virtute tantum momenti esse.

It was immediately ascertained, that he had expended three years' rent of his estates in the public service; and, afterwards, new claims upon him became so numerous upon the same account, that at the time of his death his ample fortune was left in a state of such embarrassment, that the best friends of his family saw no prospect of relief, but in saving one of his baronies by the sale of the other. Few princes had more sagacity than George the Second; and in military matters he could not have been deceived; but in those services which could not, of themselves, in the same way arrest attention, nor be known to the Sovereign except by the report of his ministers, Mr. Forbes was entirely at their mercy; and to have displayed the extent of his services would at once have discovered the extent of their own demerit; since their want of foresight and preparation alone had, undoubtedly, plunged the nation into the greatest danger and perplexity. Lord Bacon remarks, in his history of Henry 7th, that "convenient merit, unto which reward can easily reach [63], doth best with kings." Mr. Forbes's services might certainly have been conveniently reached by reward; but they were just such as it was most inconvenient to acknowledge; and ministry had the baseness to attempt to screen themselves, by neglecting the man, without whose aid, it is difficult to say, what the result of their folly and improvidence might have been. The loud voice of the empire, however, gave the tribute of applause which a sordid ministry denied; and the *motives* of their fears were seen, as well as the *effect* of them, in spite of their management and want of candour: so true it is, that cunning ever defeats itself.

The Lord President had, through a long life, evinced a character much more retiring than forward; he was indeed the *præter laudem nullius avarus*; and it is not

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[63] Lord Bacon makes this remark upon the great services rendered to Henry VII. by the Stanley family; which, not being easy to requite, are supposed to have caused an ill-will and jealousy in that prince, which proved fatal to Sir W. Stanley. Had his services not amounted to "overmerit," it is probable that Sir W. Stanley would have been more cautious and unassuming, and the king more easy and grateful.

probable,

probable, that he would have felt with great acuteness the neglect of the Government, were it not that the degree of retribution for meritorious services has long been so well known, and arranged with such exactness, that the want of merit is generally presumed by the public, when the usual marks of favour to the chief actors do not follow the successful result of important transactions. That the evening of his life assumed a browner shade, both from this consideration, and the embarrassment of his fortune, it is not unreasonable to believe; but religion and philosophy had long prepared him to bear with fortitude and resignation wounds deeper than an ungrateful ministry, or the approach of poverty, could inflict; and both in the business of his own court, and in that in which his assistance was required in different bills before parliament, he shewed the same attention and patriotism which had uniformly distinguished his former life. His health, long far from robust, became much impaired several months before his death; and in November 1747 he became so seriously ill of a gradual decay, that it was thought proper to send for his son from England, who arrived but just in time to see his father alive [64]. During the last week of November, he still continued his correspondence with his friends; and in such a stile, that they were surprised to hear of his death, which happened at Edinburgh on the 10th of December, when he was aged 62 years and one month. He was buried in the Grey

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[64] The last words which the Lord President delivered to his son were written down in a book at the time. The memorandum is still preserved, and is as follows:

" Edinburgh, 10th December 1747.

" My father entered into the everlasting life of God, trusting, hoping, and believing, through the blood of Christ, eternal life and happiness. When I first saw my father upon the bed of death, his blessing and prayer to me was, " My dear John, you have just come in time to see your poor father die. May the great God of heaven and earth ever bless and preserve you! You have come to a very poor fortune, partly by my own extravagance and the oppression of power. I am sure you will forgive me, because what I did was with a good intention. I know you to be an honest-hearted lad. Andrew Mitchell loves you affectionately; he will advise you, and do what he can for you. I depend upon Scroop too; which you may let him know. I will advise you never to think of coming into parliament. I left some notes with the two William Forbes's, in case I had not seen you; they are two affectionate lads, and will be able to help you, in some affairs, better than you would have done yourself. John Hossack will help you in your affairs in the north. My heart bleeds for poor John Steel *; I recommend him to you. When I was in the north, I paid some considerably large sums, that I never dreamed of before, towards the defraying the charges occasioned by the rebellion. There is but one thing I repent me of in my whole life; not to have taken better care of you †. May the great God of heaven and earth bless and preserve you! I trust in the blood of Christ. Be always religious; fear and love God. You may go; you can be of no service to me here."

These words may remind the reader of Addison's remark to his son-in-law, when he told him he sent for him " to see with what composure a Christian could die."

* John Steel was then a sort of head-servant, having been once a merchant in Edinburgh. He passed the rest of his days at Culloden, in comfort and ease.

† The President here alludes, no doubt, to his son's fortune.

Friars church-yard, near his brother; his funeral being attended with all the pomp usual to persons of his elevated rank, but more remarkable for the deep affliction of every class of people (among whom his death was reckoned a national misfortune), than all the trappings and outward show of sorrow and magnificence could make it.

The Faculty of Advocates, of which he had for so many years been the ornament, resolved to perpetuate his memory by the erection of a statue. The Scotch nation had intended a similar honour, from interested motives, for Cromwell[65]; and had erected one to Charles 2d, from motives equally selfish and obsequious. The honour done to President Forbes is so much the greater, because the most invidious judgement can assign no cause for its being paid, which does not tend to the credit of the persons paying this tribute of veneration, as well as of the memory of him to whom the statue was erected. A statue has lately been voted for Lord President Robert Blair; a man who, in inflexible integrity, extensive literary attainments, candour, legal knowledge and penetration, and amiable manners, seemed to emulate those endowments of Duncan Forbes.

The figure, which represents the President in the attitude of delivering his sentiments from the bench, is reckoned the chef-d'œuvre of Roubilliac, and is admired for its great spirit, elegance, and beauty. It was put up in the outward Parliament house in 1752, and cost £3,000. sterling; a sum which, it is scarcely necessary to observe, was far greater in efficacy then, than at the present day. Below the figure is the following inscription:

Duncano Forbes
de Culloden,
Supremæ in civilibus curiæ Presidi,
Judici integerrimo,
Civi optimo,
priscæ virtutis viro,
Facultas Juridica libens posuit,
Anno post obitum quinto,
C. N. 1752.

In so few words, a more correct character cannot be given than is by the foregoing inscription; and perhaps it is unnecessary to enlarge upon a subject, on which the preceding pages have already been intended to throw some light. We shall, however, state the sentiments (as to his public character) of Mr. John Home, who might be

[65] The block of marble imported for this statue lay upon the wharf of Leith for nearly 150 years. Lately, as we are informed, it was made use of for the statue of George III. executed by the Honourable Mrs. Damer, and placed in the register office in Edinburgh.

called

called the cotemporary of Mr. Forbes; and of Lord Woodhouselee, whose opportunities of knowledge gave him the same advantage in judging as if he had lived in his society. The first observes, "Duncan Forbes, of Culloden, born a younger brother and bred to the law, had passed through the different offices of that profession which usually lead to the chair, universally esteemed, and thought still worthy of a higher office than the one he held. When called to preside in the supreme court of justice in Scotland, he fully answered the expectations of his countrymen; his manners gave a lustre to the dignity of his station, and no president of the Court of Session was ever more respected or beloved." Lord Woodhouselee[66] gives the following animated delineation in his life of Lord Kaims: "Duncan Forbes, of Culloden, was in all respects one of the most eminent men of his time. His learning was extensive and profound, reaching even to the Oriental languages; and he had that acuteness and subtilty of parts, which is peculiarly fitted to the nice discriminations of the law; but which was always regulated in him by the prevailing principles of his nature, probity, candour, and a strong sense of the beauty of virtue and moral excellence. His warmth of heart made him a man of religion; and as all his feelings were ardent, his piety, of course, was fervent and habitual. This disposition, co-operating with a lively imagination, led him to become an admirer and disciple of the Hutchinsonian scheme of Theology, which professes to find in the Holy Scriptures, when interpreted according to the radical import of the Hebrew expressions, a complete system of natural philosophy, as well as of religious instruction. He had not enough of physical science to detect the absurdities with which the scheme of his favourite author abounds; but it delighted his imagination, and coincided with his religious propensities; and in the writings which he published in support of that scheme (his Letter to a Bishop, and his Thoughts concerning Religion, Natural and Revealed), he is allowed to be the ablest of all the expositors of the Hutchinsonian system of theology. In the eloquence of the bar, Forbes outshone all his cotemporaries; for he united to great knowledge of jurisprudence, a quickness of comprehension that discovered to him at once the strong ground of argument which he was to press, or the weakness of the doctrine which he wished to assail. When raised to the Presidency of the court, the vigour of his intellect, his patience in the hearing of causes, his promptitude in the dispatch of business, the dignity of his deportment, and, above all, the known probity and integrity of his mind, gave the highest weight to the decisions of that tribunal over which he presided. When to these qualifications we add an extensive acquaintance with human nature, acquired and improved in a most active public life,

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[66] Lord Woodhouselee (like the sculptor of the pillar of Trajan) has had the art to exalt the principal person in his group (Duncan Forbes), *sine diminutione ullius*.

and

and uniformly directed to the great ends of promoting the welfare and prosperity of his fellow citizens, and discharging his duty to God and to his country, we shall have some faint idea of the character of Duncan Forbes."

In his person Mr. Forbes was elegant and well formed; and his countenance, from the several paintings extant, appears much more animated and handsome than it is represented by his statue. The sculptor, however, not having the same advantages as the painter, we may rather rely upon the painting for the likeness, than upon the marble. As a husband, father, and brother, he was exemplary; and as a master, affable and indulgent. Although his studies[67], and the serious nature of his avocations, might be expected to affect his gaiety, that was not the case; for no man was in society more divested of care, or merrier, "within the limits of becoming mirth;" so that the first nobility and wits of the time were happy to "crack a bottle and a joke with him[68]." In his friendships he was sincere and very steady; and those of any merit, with whom he had in the early part of his life been intimate, never found that his elevation to fortune or office occasioned the smallest coolness or distance in him: indeed, so much the contrary was the case, that, from the terms of intimacy in which he was addressed by persons far below his own walk in life, he might be blamed for suffering a too great familiarity, did we not make allowance for their affection, and know that he was on every occasion remarkable for propriety, and, when it was requisite, for great dignity of deportment. He had, indeed, as several anecdotes attest, a happy facility in overcoming, by a facetious kindness, the diffidence and uneasiness of persons inferior to him in the gradation of society, when in his company. In his resentment of injury, he was moderate and placable; yet he was far from being easily brought to renew habits of intimacy with persons who abused his friendship, until atonement was made; and, being himself incapable of injustice, he was always careful to avoid the appearance of being insensible of improper behaviour of this sort, even at the time that he heartily forgave it. This principle of his conduct proceeded from the candour of his nature; and we must allow, that he who passes over as nothing the injustice of others, will not be scrupulously rigid in regulating himself. To his friendship the first families were often indebted for advice and assistance; and not a few confided to his integrity the care of their children, which was sometimes a troublesome and disagreeable task; for gratitude seldom follows the rigid performance of such duties. His knowledge of mankind was deep and extensive; and no man had

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[67] He is said to have read the Bible in Hebrew eight times over; and when intent upon study, he secluded himself for whole days entirely from society.

[68] This expression is taken from a letter to the President from the Duke of Hamilton; and perhaps may, without impropriety, be admitted in a view of private life and character.

studied with more success the peculiar character, and motives for action, of the highlanders; which gave him great weight among them [69]. This was increased by his boundless generosity, which prompted him to make others happy, with so little regard to his private fortune, that it often occasioned perplexity in his affairs; but it was strictly confined to the use of his own means; for he never used his influence to get a friend preferred to office from affection, unless he was fully capable of performing the duties of it: so that the interest of the public was never subservient to his partiality.

In political principles, he was what is called a whig of the old school; and he might be said to be one from hereditary right; as his father, grandfather, and great-grandfather, were staunch in the same opinions. These were not out of fashion in the reign of George 2d, who often was pleased to give unequivocal proofs that he cherished the principles which placed his family on the throne. His religious opinions were liberal and tolerant to every persuasion; for he thought that God judged by the heart, and not by the mere exterior show, or by the observance of minute forms alone, which so often cover vice and hypocrisy. He was a sincere believer in, and defender of, the Scriptures, and the doctrines of Christianity; from which he derived a steady incentive to that virtue which he loved and practised throughout life, and rays of comfort in the hour of death.

We shall conclude by observing, that though he was engaged, through a long public life, in many affairs of peculiar delicacy, he had the merit of securing the applause, not only of those with whom he acted, but even of those against whom he was employed (a thing almost without example); and that his character for public and private excellence was such, that the revolution of many years may not again bring forward such a man; for those who paint him truest, praise him most.

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[69] The following anecdote is so well authenticated, that we shall insert it, as a proof how well he was acquainted with the highlanders:

He was in the habit of sending his cattle to the west highlands, for the summer grazings. The temptation of keeping them, at last, became so great, that the foreman or manager of the gentleman who possessed the grazings was sent with the melancholy news that the cattle were stolen. The President was well aware of the real state of the case, and that showing any mistrust or resentment could avail nothing. Trusting to the point of honour, which he knew had the greatest weight with every true highlander, he ordered the messenger to be kept, and entertained for a fortnight with the excess of conviviality; and when he was setting out homewards he called for him, and gave him ten guineas, desiring him to tell his master, that the loss of a few cattle was nothing between two friends. All this had the effect desired; the foreman (like Henry the fourth, in the treaty for restoring Saluzzo, who would give no answer to any representation, but "I must have my marquisate,") answered every argument of his master, "Culloden must have his cattle;" and, as he was a man entrusted with too many important secrets and affairs to be a contemptible enemy, the cattle were sent back to Culloden, with the joyful tidings that they were found straying in the mountains.

His

His works were published after his death, in two volumes octavo. They consist of "Thoughts on Religion, natural and revealed;" "Reflections on the Sources of Incredulity in regard to Religion[70];" and "A Letter to a Bishop, concerning some important Discoveries in Philosophy and Religion." They are written, as Lord Hailes says, in a "flowing and oratorial style;" and they prove that he had dedicated much of his attention to theology and philosophy. He has been blamed for his partiality to some of Mr. Hutchinson's ideas regarding the explanation of passages in the Scriptures: he is, however, moderate, as well as clear and elegant, in the exposition of his opinions; and rather blames the severity of Mr. Hutchinson, in his attacks upon Sir Isaac Newton[71] and another antagonist.

It may not be disagreeable to our readers to know the fortune of his family after the decease of President Forbes. His son and heir, though far less eminent than his father in point of talents, was a sensible and honourable man, and a very brave officer of cavalry. The fortune to which he succeeded was so involved, that for some years there seemed no means of extricating it, except by the sale of one half of the landed estate. But the effects of economy, however slow, are sure; and John Forbes preferred the part of living in retirement, and at a small expenditure, to that of dissipating the fortune of his ancestors. In lefs than thirty years, he not only cleared the estate of incumbrances, but added to it by several contiguous purchases; and his son[72] and successor, by Jean Forbes, daughter of Sir Arthur Forbes of Craigievar, baronet, making an opulent marriage in England, added to the family possessions.

In 1784, Government resolved to resume the privilege of Ferrintosh, after it had for nearly a century been enjoyed by the family. Of the value of this privilege (which

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[70] "I cannot (says Dr. Warburton, in a letter to Dr. Hurd,) omit recommending to you the late Lord President Forbes's little posthumous work on Incredulity; it is a little jewel. I knew and venerated the man: one of the greatest which ever Scotland bred, both as a judge, a patriot, and a christian."

[71] Mr. Forbes, indeed, may be said rather to state and explain Mr. Hutchinson's doctrines, than to defend them. Among other curious things stated by that author, is the assertion, that in six different passages the effects of the load-stone are spoken of in the Bible, and that the cause is to be gathered likewise from it.

It must be so obvious, how greatly mankind are interested that the real meaning of words and passages in the Old Testament (the foundation of our religion, and the most ancient of all histories,) should be made evident, that it is strange more persons have not followed Mr. Forbes in his progress towards elucidation; a work which would confer honour on the person engaged, in proportion to the difficulty which the developement of sentences involved in the emblematical and prophetical idioms of a difficult language, and dubious punctuation, must occasion; not to mention the rites, manners, and transactions alluded to, which are either chiefly unknown, or obscured by the deepest shades of antiquity.

[72] Arthur Forbes of Culloden was married to Miss Sarah Stratton, daughter and sole heiress of Edward Stratton esquire, county of Kent.

was likewise a distinction honourable to the proprietor's family) we may form some idea from Mr. Arnot's statement, in his History of Edinburgh, that more whisky was distilled in Ferrintosh than in all the rest of Scotland. The representatives of the family being employed abroad for many years, caused this part of the estate to be much neglected; and arrangements had been only just made with a company, to bring it to an increase of value, when Government (perhaps hearing of this) came to the resolution of taking it away. We shall not pretend to give an accurate statement of what the real produce might be brought to; but if we *loosely* suppose the number of arable acres at 1,800 (they amount to this extent), and take the produce at only five bolls of barley per acre, that would give 9,000 bolls, which (considering the motives for making the lands productive by imported manures) is but a small return. If the profit to the proprietor upon the distillation of these 9,000 bolls into whisky (duty-free) should be taken at only TWO *pounds* sterling per boll, the return to the family would come to £18,000 sterling per annum; besides insuring the conversion into arable land of the rest of the barony upon easy terms. The produce of one boll of barley converted into whisky is sometimes sold as high as SIX *pounds* sterling; so that the above calculation of clear profit might be fairly doubled in that view, and leave the farmer or distiller £2. sterling per boll. The family, as might be expected, urged every argument to induce Government to desist from resuming its own grant of a *perpetual* property[73] of such value; but, in spite of every opposition and appeal to justice and good faith, it was taken away, for the compensation of the principal sum of £21,500.

Duncan George Forbes, the great grandson of President Forbes, now represents the family of Culloden.

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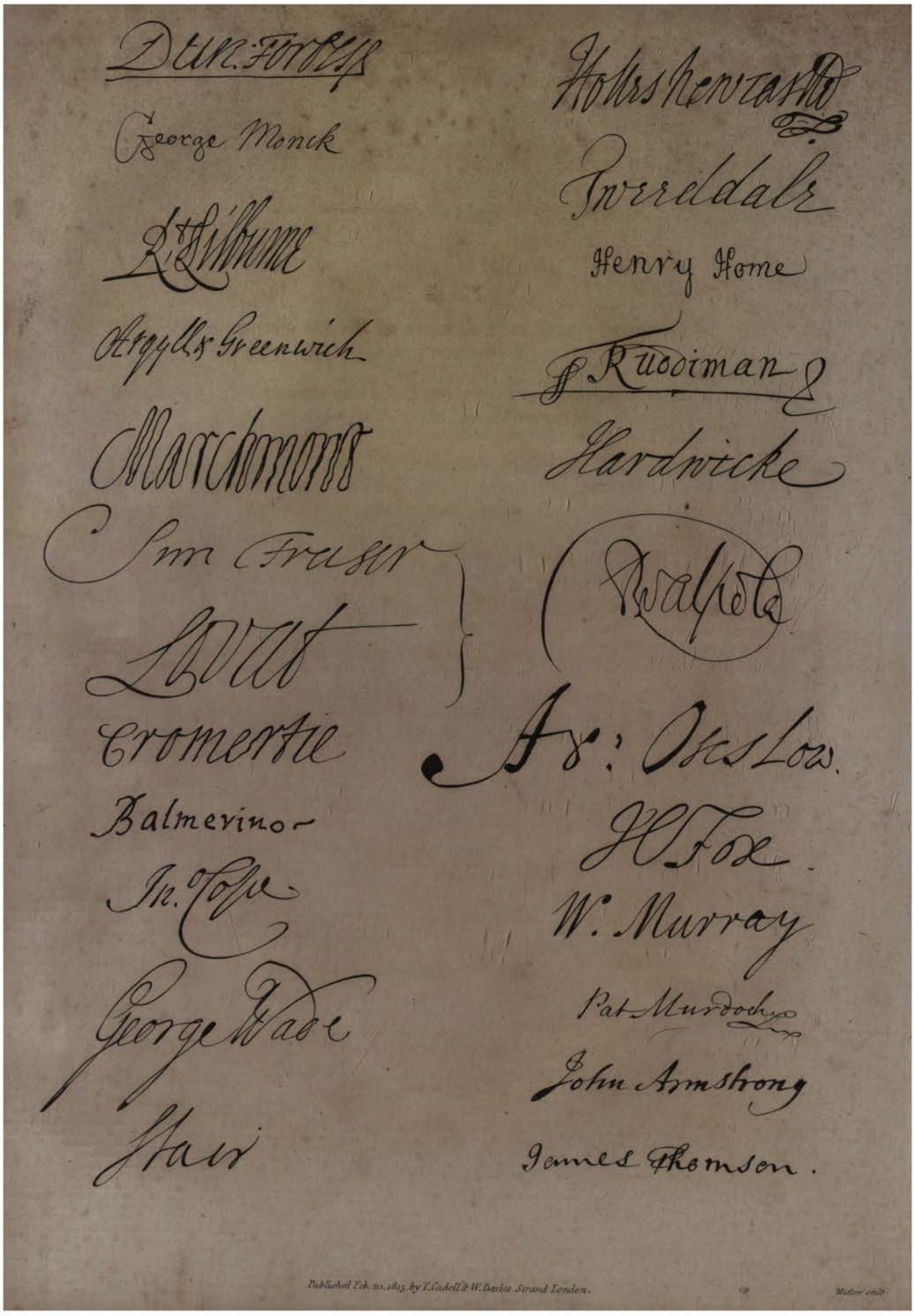
73 After stating this matter shortly, and without being very particular, we leave the transaction to speak for itself. We shall only add the expression of our hope, that when we have so lately seen the *generosity* of parliament make an additional grant to a noble family for a property which had been resumed for a much longer time, for a large sum, and by the consent of that family distinctly expressed, the justice of Government will not permit such a transaction as the one here stated, to remain what may perhaps be called a solitary instance, that private property is not always secure from power. If it required that any thing should be added to the claim to justice and favour of the Culloden family, the unrequited services and outlays of the President, and of his brother, might be mentioned, who might each assume with truth the plaintive motto of the Courtenays:—*Ubi lapsus? Quid feci?*



Published Feb. 20. 1815. by T. Cadell & W. Davies. Strand London.

CULLODEN PAPERS.

No. I.

PETITION of Duncan Forbes, in the name of the Inhabitants of the Town of Inverness.

[Early in 1626. This seems to have been the first sketch of a more formal document, which, with the King's Answer annexed, will be found in p. 4.]

To the King's most Excellent Majestie,

The humble Petition of Duncan Forbes, Provost of Innernes, in name of the whole Inhabitants of that your Majestie's auncient Brugh.

Humbly shewing,

THAT, notwithstanding the insurrection of the Clanchattan is fullie repressed, and they reduced to obedience of your Majestie's lawes, which was the first ground of the Comission granted to the Earle of Murray; yet his Lordship, under color of the same, and directlie beyond the power granted thereby unto him, doth seek utterlie to subvert that auncient Brugh (whose foundation was long before the Birth of Christ, and whose Inhabitantes have ever been faithful and loyall subjects to your Majestie's Royal Predecessors), by exactinge the escheate of some of them, and fines from others in value far above their Estates, pretending that they sold some small Commodities to some persones of that Clan. Thus doth he begin to exceede to such height of rigour against your Subjects of that Towne as heretofore hath not been practised in ane civill kingdome or State; being himself both Judge and party, and the Members of his Courts his own Creatures. And withall forcing your said Subjects, to their great charges, to repair from their Dwellings to places far distant; where when being come, they are delayed of that due course of Justice pretended against them with unjust extremitie; whereof if not in time prevented, they as are Members of the body of that Estate shall thereby be brought to such povertie, that from henceforth they cannot consist as a Town able to pay anie their lawful Dues to your Majestie.

And in regard there can be no greater Evidence of their innocence then their earnest desire to submit themselves to the censure of anie your Majestie's Judicatories:

It may please your Majestie to referr the Consideration of the premises to anie such of them as your Highnes in your most princely judgment shall think expedient; and in the mean time to wreitt unto the said Earle that he desist from further insisting in pursuit of your said Subjects, until that by that Judicatorie all differences between them be fullie cleared.

And they, their Wifes, and Children, (as bound by dutie) shall still pray for your Majestie's long life and prosperous raigne.

No. II.

P^s B. of Ross to the Council of Inverness, dated London, 17th March 1626.

Honorable and loveing freinds,

IT may please you, your Proveſt, Duncan Forbes, being heere about your Bussinesse, and I considering his great forwardness, and earnest care, to procure the good and weal of your Towne, and your peaceable setling with the Earl of Morray, I could not but take speciall notice thereoff, and acquent you with the same; And to declare to you, that by his wise and discreet cariage, with the assistance of some good freinds to him and yourselves, obtained greater favors and courtesye at my Lord the Earle of Morray's hands nor could be expected by any other kynd of dealing whatsoever: whereof My Lord of Lorne, My Lord Ockletree, My Lord Kinclewin, Sr Francis Stewart, and Sr William Alexander and I my selff, as hearing and being Witnesses, can bear testimonie, and as your Provest himself will more particularlie impart to you. Iff you and the Inhabitants of your Towne, behaveth yourselffs dutifully, and respectively, you will find that his Lordship will use you courteously, in this businesse, and all other affairs betweene him and you, wherein I shall be contented gladlie to tak the paines to see you all settled peaceablie, and finallie in peace with his Lordship. You have reason to be thankfull to your Provest for his fidelitie, diligence, and care in these your affairs. In anie thing wherein I can be serviceable, or able to pleasure you, either heere or at home, I shall be willing to give proofe of my readines therein. Thus recommending you to God, I rest

Your Loveing and affectionat freind readie to be commanded

P^s B. of Ross.

No. III.

Sir William Alexander, to the Bailiffs, Council, and Committee, of the Burgh of Inverness, dated Whitehall, the 28th of March 1626.

Worthie freinds,

I HAVE wreitten this Lre unto you, testifieing the good carrage of yor provest in his Commission. At his coming here, he obteaned the favour of the best sort about Court; he drew up his Petition, and was assured of frends to gett him presence of the King, and to second him in so farre as might stand with reason. Notwithstanding, he, verie wiselie considdering what might be the event of his petitioning, in respect of the great favour of the Earl of Murray with the Prince, and of his great frends about Court, but cheefelie for that you have no just cause to complaine of him as yet, and untill the time you suffer a reall wrong; so that his Matie might have instantly disliked these rash kind of proceedings, and might have irritated the Nobleman the more against you; In consideration whereof (working the same effects that you desired, in a more faire and plausible maner), he hath concluded with the said Earle after this maner: he conveened divers of my Lord's own frends and other Noblemen, such as My Lord of Lorn, My Lord Kincleuin, My Lord Ochiltree, The Bishop of Rosse, and some others, amongst whom I was one; and in our presence the Earle of Murray did tak the provest by the hand in name of your Town, and protested that he was not of intention to deale in rigor against you; but your own misbehaviour towards his Lo^p did in some measure offend him; and now hath promised (you doing your dutie in reason as becometh you) that he

he shall not wrong you, in anie maner of way; but rather to maintaine you with his best assistance. And as for the putting of his Commission in execution he shall do the same in such sort as you shall have no just cause to complaine upon that subject; for doing whereof the Bishop of Rosse (besides that he was an eye witness) will assist; so that if the said Earle wold prove otherwayes nor he hath promised (being confident that he will not) you have all that you could crave by yor Peticion; which is, that you have an indifferent Judge for your greevances. Wherfor you have all good reason not only to think that yor provest hath done better for your weal then you could have expected otherwise, but likewise to give him heartie thankes. He hath intended with me a Bargaine in favour of your Town, as he himself will show you at meeting, which, God willing, will both prove beneficiall and honorable unto you, as ainie one thing that ever you took in hand. He hath made me to be your loveing freind in all your good and lawful affaires, whenever you shall desire me to that effect. Thus with my love remembered to you, I rest

Your loving frend to serve you,

W. ALEXANDER.

No. IV.

P^a^ B. of Ross to the Honble Duncan Forbes, dated London, 22d of April 1626.

HONORABLE and loving friend, I have wrytten to the Earle of Murray to discontinue any proceedings against the inhabitants of y^r^ towne untill my returning; which I hope his Lordp will doe gladly, according to his promise made to me before his departing; and after my returning I hope, God willing, to satle that business, to his Lordp's honor, and both your contentments. Since your departing hence, within three dayes thereafter immediatelie, I had two conferences with His Majestie; and since that tyme I have been visited with ane grievous ague; and now, praised be God, am convalesced, and am resolved, how soon I shall recover strenth, to take journay homeward before the downsitting of the sessione; befor the quhilk tyme, I most intreatt you to try out, and have in readiness, some ten or twelve thousand pound scots, that I may have the same, upone sufficient securitie; for I purpose, God willing, to satisfie some of my most urgent creditors, whoe have adoe with ther monyes at this tearme. S^r^ I pray you try out the money in the hands of sik as ye know will be most kyndlie and discreitt. In doing quhairof, you shall oblige me to serve and pleasur you in ane greater imployment, and I houpe the partie with whom ye shall deall in my favour shall have occasione to give you thanks. I doubte not bot ye will keip promise in visiting my wyf and childring when yor leasur may permitt you, and will be careful that shee neglakt nothing quhilk you shall desyre to be furnished till my returning. Thus recommending you to God, I rest

Your loving friend readie to power.

P^a^ B. of Ross.

No. V.

PETITION from Duncan Forbes, Provost of Inverness, in the name of the Inhabitants of that town, to King Charles the First.

To the King's most Excellent Majestie,

The humble Petition of Duncan Forbes, Provost of Innerness, in the name of the Inhabitants of that your auncient Brugh,

Humblie sheweth,

THAT it may please your Majestie to reade and consider the Articles and heads following, concerning the Commission graunted of late to the Earl of Murray; whereby in some measure theire greivances, that they thereby are likelie to endure, are touched and sett downe.

1° Firste, in regarde that the Ground of his Commission was for repressinge the insurections of the Clanchattan, who voluntarilie have submitted themselves unto him, and are reduced to obedience to your Majesties lawes, havinge become His Lordships Servauntes and tennents; he should not in reason thereafter to use means, under coulor of the same, to undoe ane civill and auncient Towne, by exactinge somes of money from them, which, if not above, are att leaste equivalent with, the estates of many of them.

2. There is an Acte of Parliament in An° 1593, providinge that upon the grauntinge of any Comission of the like nature, and the insurrection being setled, that then the force of the said Comission, in all points wherein the same might be extended, should cease.

3. It is a spetiall ground of his Comission, for the avoydinge of superfluous charges and paines that your Majestie's subjects might endure by theire repayringe to Judicatories farr distant from theire dwellings, that he shoulde minister Justice with ease to them; where to the contrarie, they are forced to goe from Innernes to Elgin, being 30 myles distant one from another, there being a shire interjected betweene them; wher when beinge come, they have been delayed of the due course of Justice pretended againste them.

4. Such a Comission as hee hath, shoulde onelie be in force against Rebellious people, fireraisers, and such execrable malefactors; and not against a Civill people, subject to your Majesties lawes, payinge theire part of your Majesties taxations, and beinge a free Brugh these many hundred yeares; where himself is both judge and partie, and the Members of his Court meerelie his own Creatures.

5. Some of the Inhabitants of youre said Towne, beinge unwilling in the stormy time of winter to hazard themselves from theire dwellings and from their lawfull trades, to repair to Elgin, were contented, at his earnest intreatie, to come into His Lordship's will, with promise they should incure no further danger then theire particular dittayes had merited; which coulde not (as they did then imagine) be further extended, then for the sellinge to some of the said clan, or their Servaunts (whom att that time they could hardlie discerne in Mercates, where, ordinarilie, there is a confused concourse of people), some smale comodities, as Salte, Soape, and the like; whereupon they simplie, by subscribinge an Acte made by the Earle, confessed themselves to be resettors of the said Clan, and soe are fyned, some in three thousand, some in two thousand marks, and so forth, in somes equivalent if not above theire estates; which Acte and the Decreets given

given thereupon, togeather with the costs thereof, they humblie desire maye be considered, and they putt in their places as if they had never subscribed such an Acte, soe farr contrarie to equitie and conscience.

6. His Lo^p^ hath not Power, by his Commission, to direct his own Precepts for charging of the persons fyned to make payment to him of their fynes, under payne of horninge; nor to give Declarations upon theire Escheates in his owne Courtes, which are merelie your Majesties Royal Prerogatives; and consequentlie he hath proceeded in this against all Equitie and conscience, and against all Civill Order; and therefore in reason his Commission is voide.

7. Laste, they holde it greate extremitie, (though his Suite againste them were righte) to exacte, after soe rigorous and unconscionable a manner, the halfe, if not the greatest part, of a poor Man's Estate, where penall Statutes are executed with a greate deale of more lenitie; and moreover they think it noe waye agreeable to true nobilitie to make up his Losses againste the said Clan, by undoinge the poor Inhabitants of an Auntient Brugh; which course, if it be not in time prevented, will be a means of the utter ruyne and desolation thereof in all ages hereafter.

But in regarde there can be noe greater Evidence of theire Innocence, then theire earnest desire to submitt themselves to the Censure of any your Majesties Judicatures;

It may please your Majestie to reserv the Consideration of the premises to any such of them as your Highnes, in your most princelie Judgm^t^, shall think fitt; And in the mean time to give Order to the said Earle, that he desist from further insistinge in pursuite of the said Subjects, untill that, by that Judicatorie, all differences between them be fully cleered.

At the Court att Bagshott, the 16th of August 1626.

HIS Majestie, havinge seene this petitione, is graciously pleased, in regarde of the Petitioners alleaged distresses, to reserv the Consideratione of the same, and what can be further alleaged to this purpose by either partie (whome His Majestie is willinge should be indifferentlie heard), to the Commissions for the Greivances; willinge them, after due tryall of the premisses, to determine therein according to Justice and Equity.

No. VI.

From Mr. Middleton to the Marquis of Argyle. Dated from Knockhall, 14th Jañry 1646.

My verie noble Lord,

AMONGST others who have testified y^r^ affection to the publick, I cannot omitt to recommend to your Lordship's consideration the condition of Duncan Forbes, of Culloden; who hes all this tyme past keept out his House, which lyes near to Invernes, for the publick service upon his own expenses, with a considerable number of Men in it; And has bene himself verie active against the Rebells at all occasions; and if his house had beene gayned by the enemy, it would have tended much to the prejudice of the Publick. For this his affection, he hes all his Lands spoiled and waisted by the Rebells, his Corne burnt, and truelie himselfe brought to that extremitie, that unless his loss be taken to considerationn he cannot be able to subsist; whereby not onlie will he be disabled to doe the Publick service in these Parts, but likewise other Gentlemen

men will be discouraged. This I thought fit to represent to your Lordship, and shall intreat in his behalff that your Lordship will befriend him at the Committees, and by thinking upon some way both how his loss may be repaired, and for his subsistance in the mean tyme, in respect of his fidelity and constancie. Ceasing to trouble your Lordship any more for the present, I rest, My Lord,

Your Lordsp's most faithful and most obedient Servant

Jo. MIDDLETONE.

No. VII.

ADDRESS to the Lords, &c. assembled in Parliament.

Dated Invernes, 9th Febr 1649.

Right Honoble and our much honored Lordes.

OUR formar respecte to the Cause of God, testified be our sufferinges for it, and our present posture in the same constant way, we hope, will beare witness of our reall affectiounes and obliged dewtie to the present high Court of Parliament; and to declare the same the more, we cannot bot signifie to your Ll that we heire ast the kingdome is intended to be invadit be forraineirs, so this poor towne is speciallie aimed at. In this, as hitherto we have proovin Loyall, so now, be the grace of God, we sall not be defective. Onlie this we must signifie to your Ll, that, except thair be provycion of Coall, wictuall, and other Furniture, it will be impossible to manteine the place against any enimie. We appeall the consciences of all knowen our present condition, annent what we wreit; and we hope our Provest, will upon certaine knowlidge, declare the same. We cannot theirfoir bot humblie intreate your Ll with all possible speed to send hither provisioune of Coall, wictuall, and other furniture suitable for such ane place; and we assure your Ll, we sall not be found lacking in what may concerne us for our dewtie, according to our power; for, as we have signified to your Ll befoir, we will rather die then staine that reputatioune which by God's great providence this poore Towne has acqueired. With all humilitie we desire your Ll to assent to the other desyres which our Provest, from us, is to represent to your Ll; which humblie awaiting for, we desyre a speciall blissing from heaven on your Lls meiting, and restis

Your humble Servands

ROBERT CARGIE baillie
R. ROSE baillie
M. CUTHBERT 2 baillie
J. J. DUNBAR baillie

No. VIII.

ACT of the Commission of the General Assembly, made at the West Kirk of Edinburgh.

West Kirk, the 13th Day of August 1650.

THE Commissione of the Generall Assemblie, considering that there may be just ground of stumbling, from the King's Majestie's refusing to subscrybe and emit the Declaratione offered unto him by the Committee of Estates and Commissioners of the Generall Assemblie concerning his former carriage, and resolutiones for the futur, in reference to the cause of God, and the enemies and friends therof; doeth therfor declaire, that this Kirke and Kindome doe not own nor espouse any malignant pairtie or

 quarrell

quarrell or intrest; but that they fight meerlie upon their former grounds and principles, and in defence of the cause of God and of the Kindome, as they have done these twelf yeires past:—And therfor, as they doe disclame all the sine and guilte of the King and of his house, so they will not owne him nor his intrest, otherwayes then with a subordinatione to God, and so far as he ownes and prosecutes the cause of God, and disclames his and his father's oppositione to the cause of God and to the covenant, and likevise all the enemies thereof; and that they will with convenient speid take into consideration the peapers latlie sent unto them from Oliver Cromwell, and vindicat themselfes from all the falshoods contained ỹrin, especiallie in those thingis whairin the quarrell betwixt us and that pairtie is mis-stated, as if we owned the late King's proceedings, and wer resolved to prosecute and maintaine his p̃snt Majestie's intrest, befor and without acknowledgement of the sins of his house and former wayes, and satisfactione to God's people in both Kindomes.* A. KER.

13th August 1650.

The Committee of Estates, having seen and considered a Declaratione of the Commission of the General Assemblie anent the stating of the quarrell whairon the Armie is to feight, doe approve the same and hartlie concur therin. THO. HENDERSON.

No. IX.

ORDINANCE from the King's Majestie for John Forbes.

CHARLES R.

WHEREAS our well beloved John Forbes younger, of Culloden, and Provest of our Burgh of Innernes, hath in obedience of the Acts and Orders issued from us and the Estates of Parliament, and Committee of Estates of this our Kingdome, come to this place for attending us in our Army, with the remanent Noblemen, Gentlemen, and Heretors of this our Kingdome; And understanding that the said John Forbes is intrusted with severall Publick Imployments in our Burgh and Shire of Innernes, and in particular that he is appointed, by the Committee of Parliament for manageing the affairs of our Army, one of the Commissioners for hastening up the mantainance and Meale for our Army from the forsaid Shyre and Burgh; And in regard thereof, and that the most Pairt of the Heretors and Gentlemen of our said Shyre are come forth, and on their march hither for joyning with us in our Army; finding that the said John Forbes his return to and stay in our said Shyre and Burgh, for dischargeing these Publick Imployments, and giving his best assistance to execute the publick orders within the same, will be more necessarie then his attendance upon us in our Army; Therefore it is our Will and pleasure that the said John Forbes returne to his place of residence for the effect aforesaid; and we do hereby discharge all officers of our Armie, or any others haveing Commission from us, and especiallie our verie well beloved the Laird of Innes younger, to requyre the said John Forbes, or our well beloved Duncan Forbes, of Collodin, his father (who is of the age of Seventie zeires and upwards), to come out with the rest of the Heretors and Gentlemen of our said Shyre in the present Expedition, or to trouble them ther anent. Given att our Court att Sterling, the day of May, and of our Reigne the third zeir, 1651.

* The Marquis of Argyll aided this meeting; and his participation became one article in his indictment for High Treason.

PASS

No. X.

PASS for Mr. Duncan Forbes, granted by Oliver Cromwell, Dated 17th Septr 1651.

THEES are to requyre all Officers & Souldiers under Comand of His Excellency the Lord Generll Cromwell, nather to trouble, molest, nor to offer any violence or injury to the persone of John Forbes Fiair, of Culloddin; but to suffer and permit him, with his Horses, Armes, and Servantes, fairly to pass and repass our Quarters in and about his lawful affairs, w'out lett or molestation; provyding hee act nothing prejudiciall & against the Comon Wealth of England, or any belonging thereto—Given under my hand at Inverness, the Seventeenth day of September 1651.

To all Officers and Souldiers whom this may concerne. } R^t LILBURNE.

No. XI.

A PROTECTION from Genl Monck.

WHEREAS Mr. John Forbes, late Provost of Innernesse, desires my protection for himself, familie, & tenants:

These are to require you, on sight hereof, to forbeare to prejudice the said John Forbes, or any of his familie or Tenants, either by taking away any of his or their Horses, Sheepe, or other Cattle or Goods whatsoever, or by offering any violence to his person, or the persons of any of his familie or tenants, as you will answer the contrarie; hee or they doing nothinge to the disserveing of the Parliamt.

Given under my hand att Dundee, the 13th day of November 1651.

To all Officers and Souldiers whom these may concern. } GEORGE MONCK.

No. XII.

PETITION of Duncan Forbes, and John Forbes his Son, for a continuance of abatements, on account of their loss at the time of Montrose.

To the Right Honorable Colonell Robert Lilburne, Commander in Chief of the Forces in Scotland,

The Petition of Duncan Forbes of Cullodin, and John Forbes his Sonne,

Humbly sheweth,

THAT whereas, upon consideration of the Petitioners' great and grievous sufferings the tyme of Montrose waging in this Nation, who ruined and burned the whole Lands, houses, &c belonging to the Supplicants, amounting in value to Twentie thousand punds Scots, and upward, the Committee of Estates then sitting, and Parliament, were pleased to exempt the Petitioners from the Payment of Mainteinance, and other Public demands: Whose condition being also sensyne layed to heart by your Ho.

Ho. and one half of their Monethlie assessements abated to them, else it had been impossible for them to have subsisted:

Therefore It is humbly desyred, that your Ho. may be pleased to prolongst and continue the said abatements dureing such space your Ho. shall think fitt.

And your Petitioners (as bund) shall ever pray.

Dalkeith, 24th July 1653.

That ye Lard Colloden and his sun, ye Ld Makentosh, ye Ladie Bray, & ye Ladie Arderleer, be allowed halfe their Assesse out of ye abatem^ts^ of Envernes shire, for these 4 months following; vizt July, Aug. Sep^t^ & Octob^r^. R^t^ LILBURNE.

No. XIII.

THE Answer of the Council to the Petition from the Shire of Inverness.

By His Highnis Councell in Scotland for the Governm^t^ thereof.

ON reading a Petic̃on of John Forbus, for & in the name of the Gent., Herioto^rs^, and Freehold^rs^, of the Lowlands of the Shire of Invernes, lying near to the Garrison of Invernes, desiring Ease in their Burdens: The Councill answer,

First, concerning the Assess; the same is imposed by the supream authority, and the Councell have noe power to lessen the same; but in the laying on of the Assess there will be pow^r^ given to Com^rs^ for revaluac̃ons.

Secondly, as to the Desires of the petic̃on^rs^ concerning abatem^ts^ of the Assess; the same will be taken into Considerac̃on, when that busines in general shall be considered of.

Thirdly, for the Charges of bedding, coall, & candle, furnished to the Forces upon the generall account of the Shire, or that part thereof wherein the Petic̃on^rs^ inhabitt; the Councell will take the same into Considerac̃on, and will endeavour to ease them of that Charge.

Fourthly, concerning Corne and Straw for the Forces, and the rates for the same; ye same is not imposed, but condiscended to by some who represented the Shires, as well as by those on the behalfe of the Souldiery, for the space of Eight months; during which time their said agreem^t^ is not to be broken.

Fifthly, the desire of the Petic̃on^rs^, concerning the Security to be given by ye Collector of the Assesse, will fall under the generall considerac̃on of Busines of y^t^ nature.

Sixthly; and as to what the Petic̃oners alleage and desire concerning Grasse for their Horse and bestiall, ye inequality of their Burden for Corne and Straw wth other parts of the Shire, and their furnishing of Baggage Horses; they are to apply themselves to the Generall; and he will take such Ord^r^, in those perticulars, as shall be fitt. Given at Edinburgh the 21st day of December 1655.

BROGHILL Presid^t^.

No. XIV.

George Monck Esqr to Auditor Generall Thompson, dated from Dalkeith, 16th Feby 1657-8.

Sir,

THIS Bearer, John Forbes, Laird of Culloden, having some Businesse with you, relating to Sr James Stuart's accounts, I thought fitt to recomend him unto you as an honest and peaceable Man, and much for our interest. There is no difference, that I know, why his Accounts may nott be allowed, but onely one thousand marks which was taken away by the Laird of Pluscarty when hee tooke in Invernesse, for which he has a Letter under his hand that hee took itt; and I shall desire you to allow itt in his accounts, being itt is a thinge notoriously knowne to all the honest men in those pairts, that itt was taken from his Wife, who carried herself very discreetly to save the rest; and therfor I think there is great reason itt should be allowed; which is all at present from

Yo^{r} very loving friend and Servt

GEORGE MONCK.

No. XV.

LICENSE to John Forbes, of Culloden, for Lent.

WILLIAM Lord Bellenden, of Broughton, Lord Thesourer Deputt of the Kingdome of Scotland, doeth hearby give libertie and licence to John Forbus of Culloden, and all such as are of his familie, ore doe accompany him att tabill, to eat flesh in this forbidden tym of Lent, and in all other forbidden dayes till Lent next in the year 1665, without any trouble or penaltie to be incurred to him for the same; any act or acts made, or to be made, in the contrary, notwithstanding. Dated at Edinburgh, the first day of March 1664.

BELLENDEN.

No. XVI.

Sir John Hill, to Mr John Forbes, of Culloden, Dated Dublin Castle, 14th Feb^{y}, 1676.

Very honor'd and dear Sir,

YOUR'S, by Sir George Monroe's Servant, is with me, & was very joyfully received; it bringing me the newes of yor welfare, which none alive can more cordially desire; nor can I express what Joy it would be to me to see you; but the distance being soe great, and the Sea intervening, puts me to a great doubt of being made soe happy. I am sorry to hear you tell of growing Crazie; it alarmes me to look about me. God grant our elder may be our best days (tho' not in reference to this world, yet as to a better). I am sorry the old Mounsur you mention is soe lame y^{t} he hath never a foot to goe upon, and fear, at his present rate, in a little time will have never a Leg neither. My good Lord Granard is att his House in the Countrey; how soone he comes to towne I will present yor remembrance to him — As for that Debauch^{t} priest, I doubt nott but, when it lyes in yor way, you will endeavour to help the poor Woman. Shee sent the note under his hand for £8 of money by her Brother. Here is one Dr Dun, an Aberdeensman, who is Physitian to ye State, & to my Lord Lieut^{t}, desires to have his service remembered to your Son Duncan, with whom he had acquaintance in Paris.

I have a Gentlewoman here, Mr. Thomas Henderson's wife, y^{t} sometimes brings you fresh to my memory, by playing on the manicords such Lessons as I have oft heard

heard from you, which she doth exceeding well. I have at present helped her husband, who was very low, to an employment under a Good Lord in this Country, worth £100 a year: — If you see my Lord or Lady Murray, let them have the tender of my most humble service: I am halfe angrie with them about Lady Margret, but now it cannot be helped. Let me intreat you mak much of yourself, that you and I may yet (if God please) live to see each other in the face. I thank you for the newes you gave me. — I am much pleased to hear of my old friends, and doe intreat I may be kindly presented to them all, as you have occasion to see them. I comend you to the care of our good God, & remain in the old maner,

Yo' truly loveing, faithful, and humble Serv'.

JO. HILL.

I pray let my particular respect be given to yo' Son Duncan & the rest; & to your Brother, and all the House of Duncan, my good friends.

No. XVII.

Declaration of the Earl of Argyll.

The Declaration of Archibald Earl of Argyll, Lord Kintyre, and Lord Herell, Shireff of the Shyre of the West Isles; with his Orders to his Vassalls and others in the s^d^ Shyre, within his Jurisdictions, to conveen for the Defence of ther Religion, lives, and liberties, 1685.

I SHALL not mention my caice, published and printed in Latine, Duch, and more largely in English; nor need I emitt the present Declaration, emitted by sẽall noblemen and Gentlemen in both nations, now in Armes. But, because the sufferings of me and my family are therein mentioned, I thought it fitt for me to declare of my selfe, that as I goe to armes with those that have appointed me for no privat nor personall end, but only for those contained in the said Declaratione which I have consented with and approven of, so I do cleam intrest but to what I had befor the pretended forfaulture of my lands, which I hade a sufficient right to befor.

And then I do freely, as a Christian, forgive all persons' injuries agst my person, to all that shall not oppose but joyne with me in our undertaking for the ends mentioned in theis Declaratione. And hierby, I obleidge me never to persue them in Judgment nor out of Judgement; And I hierby declare, that obtaining the grant and personall possessione of what belonged to myselfe before the pretended forfaltor, I shall satisfie all due by my father or me, so farr as anie aire * or Debitor can be obleidged. And as my faithfullness to his late Majestie, and his Goverment, hath suffitiently appeared to all unbyassed persons woyd of malice, so I doe with greefe acknowledge my former too much complying with, and conniveing at, the methods that have been taken to bring us to this sad Conditione we are in now; tho' God knows we wer concurring to the designe. I have now, through God's strenth, suffered my unjust Sentence in banishment these thrie years and ane halfe; And I never offered to make anie uproar, or Defence by armies, to disturbe the Peace by anie privat concern. But, the King now dead, and the Duke of York having taken off his mask, having abandoned our religion and liberty, resolving to enter into the Goverment, and to exercise contrar to the law, I think it but my just dutie to God and my Country to use my utmost endevours to opose and repulse his usurpatione

* Heir.

and tyrranie. And therfor, being assisted and furnished by verie good Christians, and invited and accompanied by severall of both nations to head them, I resolve, as God shall enable me, to use their assistance of all kynd toward the end expressed in the sd Declatione, I hierby invite earnestly and obtest all honest protestants, and particularlie of my friends and blood relations, to concurr with us in our said undertaking; and as I wreat so, haveing no other way so fullie to intimat my mynd to others, I do hierby require all my Wassals every where, and all within my jurisdictions, with the fensible men within ther Command, to go to armes and joyne and concur with us according to the said Declaratione, as they will be answerable at their highest perrill, and obey the particular Orders they shall receive from tyme to tymes.

No. XVIII.

The Earle of Melvill's Seal.

GEORGE Earle of Melvill, Viscount Kirkaldy, Lord Karth, Monimeall, and Ballwearie, their Majesties' high Commissioner, and Secretarrie of State for the kingdom of Scotland.

WHEREAS the Bearer hereof, Duncan Forbes, of Colloden, is furthwith to repair from this to London about their Majesties' service, these are to desire and requyre you to suffer and permitt him to pass thither, and return again, without lett, hindrance, or molestation; and to furnish and provyde him from Stage to Stage, both in his goeing and return, with sufficient post horse and a Guyde; he paying ye ordinar rates therfor. And, if need beis for this end, to press horses, for which this shall be your Warrant; he allwayes behaveing himselff as a dutyfull & loyall subject to their Majestys King William and Queen Marie. Given at ye Palace of Holyrood House, the 22^d^ day of September 1690 years.

MELVILL.

To all Livetennants, Deputy Livetennants, Shireffes, Postmasters, Justices of the Peace, and others concerned.

No. XIX.

Sir John Hill to the Laird of Culloden.

Honored & Dear Sir, Fortwilliam 24th Novr 1690.

I HAVE the favour of yours of the 28th Octo^br^, and find myself every Day more under your Obligation. I can say no more but that I am thankful; & God be thanked, that has put me into a friend's hands; for now I doubt not of the King's memorandum. I am greatly obliged to Sir Patrick Hume for his great kindness in setting me right with my Lord Portland, & otherways. I know, the obligations I lie under to my Lord Commissioner are Exceeding Great; such as have tied me to his Service for Ever. I wish I could merit his kind regards for me. If the King thinks fit to leave the Naming of the Officers to me, I will take care to choose the best affected, & fittest for his Service, without favour or affection. One thing I formerly hinted, for encouragement of men to stay here, that the pay of the Soldiers may be 8^d^ a day, as the English; otherwise the Men are not able to live upon 6^d^ p^r^ Diem in this place (twopence being retained for Cloaths); for by reason of the troubles every thing is very dear here, much dearer than about Edinburgh. We want a boat, with sails & oars,

of about 20 or 30 Tons, that may carry four or five small Guns, & 50 or 60 Men, upon occasion, to go about the Isles, & to fetch any sort of provisions; & also small boats to fetch wood over the Loch, which will serve the King considerably in fire for the Soldiers. I am glad the Parliament are so ready to assist the King. I hope God will make him an instrument to bring down the French Tyrant. I am concerned for the diversion in Hungary: the French occasion it. I am confident God will carry on his own work in Spite of all opposition. S^r, Since I writ last I understand my Daughters are 30 Miles off in the Country; so that I fall short of my intention; but I have a friend, one Cap^tn Ward, (that was formerly in the Army in Scotland) that Lives at the Sign of the Still, at Holborne Conduit. If you go that way, please to call on him, & he can tell if any of them be in Town; and he is an honest Man.

My Lord Argyle entered Mull with about 1,900 foot, and 60 Dragoons. They submitted, delivered up their Arms, & took the Oaths of Allegiance; only Dowart Castle stands out, the weather proving so bad that my Lord with his Men could no longer keep the Field; otherwise I was sending him two battering pieces, & some other Engines of War. McLeane himself (with some few) are in Carnburrow, a Rock in the Sea that is inaccessible. My Lord Argyle hath left 300 in Arros in Mull, as a bridle upon Dowart, and a Curb upon the disarmed Country; & 24 Men in Lochbuy; 20 in the Castle of Kinlochaben, in Morvern; 50 in Mingery, in Ardnamurchan; 18 in Islastalker; 18 in Dunstaffnage, & 18 in Dunollich; all at his own Charge (as his whole Company was), which I hope will be considered. He managed Generously & selfdenyingly, minding none of his own Concerns, but the King's only, and treated the people with great Civility after their Submission. All people here are quiet; Buchan, Sr George Barclay, Lt Coll. Grahame, & others at Glengarry; Connon and Drumfermlin in Isle of Skye. They all expect great assistance, in the Spring, from France (or sooner); and are encouraged (as some of them say) by some of the Council here, and by abundance of other malignants, who constantly fill them with the strangest and most incredible storys in the world, which generally they believe; only Lochiel is not ready to believe those improbable Storys, & hardly that of assistance; & Buchan begins to swear there's nothing but lies on all hands. But in case they should get the expected assistance in the Spring, care would be taken of the Guard of this Coast; for if they block up with Ships the passage to this Garrison they undo us, who have Meal but from hand to Mouth; which if we wanted but a week, we are blown up. We have not a fortnight's Meal now, and a Ship hath lyen long at Greenock with 500 Bolls, but wind-bound a long time; & when that comes (as I have given intimation), it will not last us above a month. Either blocking, or bad Weather, may prevent us from more in time; which I have laid before the Lords of Treasury & Commissary Gen^ll. I would hope of good Effects from the settlement of this Garrison, if it once were settled with men proper for the purpose; and t'will yet be difficult to get it modelled right. Glengarry & Lochiel are content that any Men march towards me from Inverness through their bounds. I fear I have tired you. What I have ommitted, I leave to your Brother to supply. I tell you again I must have him; & if it be left to me, I will have him.

I pray you, Sir, let my most humble Service be presented to Sir Patrick Hume.

I am, Sir,

Your much obliged & very hum^ble Servant

JO. HILL.

No.

No. XX.

MEMOIR of a Plan for preserving the Peace of the Highlands: written a short time after the Revolution.

[The Original is in the hand-writing of Duncan Forbes, of Culloden, the President's father; and every part of his plan seems to have been closely followed, in every point of any consequence.]

THE strength of the kingdom of Scotland did stand anciently in the power of Superiors over ther Vassalls, and Cheeffs over ther Clanes; which power, as it was always burdensome to the King and Kingdom in tyme of peace, because thes great Superiors and Cheeffs, proud of it, acted often insolently, and would neither be commanded by King nor Law; so was that same power of thers even as hurtfull in tymes of War: which may appear by the conduct of the Scots affairs at Flowdon, Pinkie, Solloway Moss, and many other occasions, when competition amongst them ruined the King's affairs; for such as he could neither humor nor engage by benefite, were often tempted to desert the common interest, & leave it a prey to the Enemy.

Wherefor the Kings of Scotland made it ther Bussines to break the power of these Superiors & Cheeffs, particularly K James the 5', as may be seen in the wholl transactions of his reigne; but all endevors to this purpose proved weak and ineffectuall, till the Gospell came to be established in the kingdome by a Reformation from Popery.

Since the Reformation, the strenth of the Nation stands upon another bottome; for the preaching of the Gospell haveing brought in a light upon the consciences of the people, the far greater part of the nation now weill neither follow superior nor cheef, but in so far as they are convinced that the undertaking is consonant to the Laws of God & the Kingdom.

And when K. Charles the 2[d] came to the Crown, he found the designe of his Predecessors so weell accomplished, that the nation was in ane inteir peace; theeft & Robbery extinguisht; vassallages and Clanes brok; exact obedience to the Law; the Gospel pleached over all the Kingdome; & ane orderly discipline exercised in a weell governed Presbiterian Church, without shisme, division, or so much as contradiction. So that never Prince was better stated then he; for he governed easily a people who had nothing to crave, save but to have his Commands and obey.

But the designes of the two last reignes being to introduce Popery and arbitrary power, and men of conscience being improper instruments for bringing such purposes about, so contrary to their ingrained principles, it was found necessary to overturne all the good establishment already made in the nation, and act contrary to the Pollitick of former Kings, by setting up Superiors and Cheeffs again, demolishing the streinths built amongst the Highland Clanes; so giving them loose reines to rob, and reassume ther former barbarity; whereby they became fitt instruments for destroying Men of conscience, who were lyke to stand in the way of thes alterations that were intended to be made upon the Religion and liberty of the Nation.

This designe was prosecute, as is known, with much bloodshed, torture, rapine, & ruine of familys; and was ending in the overthrow of all rights, both sacred & civil, when the Lord in his Mercy raised up his Majesty who now reignes, to delyver Scotland from Misery, and setle it upon its old and trew foundations; which is very neer accomplished, and that by methods lyke to those which were used by former Kings in making the nation happy, viz. By makeing the parliaments free; by settleing the Church in its former integrity; by restoreing the opprest to their liveings; & by settling

settling Garrisons upon the necks of those barbarous people who were the tools of oppression, and are the constant disturbers of the nation. Were this fully compleated, ther rests no more but that the King command what he will, and have the pleasure to see the people joyfully obey all his Comands, to the utmost farthing of ther Estates, and last drop of ther blood.

And certainly the present course of affairs can terminate in nothing but this, unless some contrary methods be taken to those which have lately been so successful in gaining the hearts of the people to the King; which will hardly happen, if ther be not ill designing men put in trust, who may weaken the hands of such as would serve the King best.

Therfor it is to be mynded, that ther is a party in Scotland whose affections can never be gaind to the King; and those are they who call themselves Episcopal, but really are indifferent of that & all matters of that nature, and are adicted to nothing but King James, under whose protection they formerly opprest others; and, in spyte of all the kyndness & forbearance can be show'd them, will only comply to gain opportunity to bring him back if they can. The certainty of this appears as clear as the sun, from three or four following Evidences.

First, from the testimony of the best Officers in the Army; who declare, that after all ther converse & favourable endevors with these Men, they find not one in Scotland, who favors Episcopacy, but to the best of ther conjectures he hates the King and the Government, & would have back King James; nor doe they find one Presbiterian, lett him have never so many other faults, but would venter all for his Majesty, both ag^{t} K. James and all his other enemys.

Secondly, This appears to be trew, from these Mens takeing the Oaths to His Majesty in Parliament, after they were in compact with K. James to bring him back. They having sworn only to the effect they might have Latitude to act & vote agst the interest of him to whom they swore, & advance the Interest of him whom by ther Oaths & subscriptions they had renounced.

A third Evidence, and a most convinceing one, that they will omitt no opportunity of bringing back K: Ja: if they can, is ther Deportment upon the miscarriadge of the fleet; the King being in Ireland, Maj: Genl Makay in Lockaber with the Forces, all Letters and Intelligence being stopt from England for severall Posts; then the Jacobite, or Episcopal party as they please to call themselves, contryved fals news anent his Majesties death, & K: James his Landing in England with a French Army, to whom the people had joyned, & the State had intirely submitted; upon which ther were many forged Letters. Ther Preachers were very active in spreading these Reports, & in affoording Horses to any who would take Armes; by which means a body of 4 or 500 Horse were got together, who came the length of Stirling, boasting great things, & burning the Countrey. While, in the mean tyme, upon the first report of ther Insurrection, & a small Invitation from the King's Commissioner, some seaven thousand presbeterians had drawen themselves together about Glasgow, marching towards Stirling, wher the Enemy were; And, as is said, litle fewer than 14 thousand more out of the Westerne Shyres were following with Carseland & Buntine; the terror whereof not only chased these Jacobites, already on foot, away to the north, but also quashed all that was feard at that tyme from Northumberland, the South border, & some great men within the Kingdome. By which it is evident, who are for the King, & who agst him; who are willing to serve him, & who not; who are able, & who not; and, consequently, who ought to be trusted, & who not.

Fourthly, It is also to be remembered, that those few unhappie men who attempted the overthrow of the Government of late, no sooner fell in any disgust with his Majesty, but they joyned themselves in with these Jacobites, with whom they entered into league,

received

received impressions from them, & formed dessignes with them of bringing back K James; which was prosecute with such bold endevors amongst themselves, & such dark subtility amongst good people to whom they durst never discover the bottome, that it wanted litle, at several stepps, of takeing its damnable effect. The craftiness of ther Insinuations was such, to persuade that the K: would never doe the things which are now doon; And so great was ther influence, that the most & best of the people were become desparate, & out of hope of any good at all from his Majesty; whilst in the mean tyme the Jacobites asserted (wher they durst be free), that K: James was ready to doe all that could be requyred of him. But no sooner was ther any thing done in Parliam^t^ to the satisfaction of the people, but ther hearts began to warme towards the King; and the Jacobite Combination began to break, which certainly had no power in its self, but in so farr as they were able by Craft & lyes to discourage honest men, & lay them asyde from owneing the King's intrest. By all which it is evident, that the following positions are undeniably trew; vizt.

That the things now doon are of infinite value to the nation, & without which the people could never be easie, & therfore behooved to be doon.

2° That the nation, having receaved so great obligations from the King, will never be ingrate to him; but will make returnes to him of all they are worth, ask it when he will.

3° That no Jacobite, or hardly any in Scotland who calls himself Episcopall, can be trusted by his Mātie.

4° That His Majesties Commissioner, in manadgeing as he did, & gaining the hearts of the people to the King, has doon both King and Countrey the best service could be doon; And by that means hes rendered himself the welcomest Agent that His Majesty can hereafter employ to that nation.

I know that evill designeing men suggest two inconveniencies in what is doon, & they are both groundless.

The first is, that the Presbiterian Churchmen will employ the freedome the King & Parliament has given them too rigorously agst those of the Episcopall Profession, which may irritate the Church of England. Verily, such as suggest this know very litle of the Presbiterian Ministers' Concerne for the King's satisfaction, & prosperity of his affairs. I am confident they will rather omitt ther own affairs then trouble his, which will presently be seen in the Deportment of this Assembly.

Another suggestion is, that the Commission of Parliament will be too rigorous in applying the Act anent Forfaulturs & fynes; which is also groundless; For that Comittee is so tender in these matters, that indeed, in my sense, they are not so just as they ought to be: withall, ther Power is but to report, & then is the wholl mater entire in the King's own hands.

From all that is said it may be concluded, that if what is already in freame were compleited, and that one very small Article past anent the constant President, wholly indifferent to the King, but considerable to the People, hardly can Scotland wish for more.

For compleiting what is so farr advanced, ther may be 3 things reckoned necessary.

1. That the Councell of Estate be not mixt with troublesome Members.

2. That the Garrisons in the Highlands be rightly placed, & the Peace of thes Countreys secured.

3. That the well-affected part of the nation be put in a condition to defend the Comon Interest; & either armed, or at least armes provyded, that may be put in their hands in case of necessity.

As to the first, it is in the King's hand.

As,

As to the second, anent posting of Garrisons, & securing the Peace of the Highlands, His Majesty will find it necessary to employ 1800 foot in Garrisons, which are to be placed in eleven severall places; which places are so advantageously scituate, as that they comprehend the whole highlands. That if the King's forces be marching through these Countreys, ther is no place they can be in, but they are within 12 miles of two or three of thes Garrisons at once. They are proper for Magazins in tyme of Warr, and will save the trouble of Baggage horses when the forces are upon a March, and are most proper for curbeing theefts & depredations in tyme of Peace.

The first & most considerable post is Inver-Lockie, which requires 1200 men; out of which ther may be a Detachment of 40 at Keppach, Six myles above Inverlockie, which opens the way into Baddenoch. At Rutven, in Baddenoch, there may be another Detachment of 80 men, also from Inverlockie. At Blair in Atholl 80, of the other Forces. At the castle of Bray Marr 60. At Drumond, in Perthshyre, 50. At Fin Larik upon Loch Tay, 50. At Dunstafnage 50; which place, with the Castle Kilchume, ought to be both kept by the Countreymen of Argyleshyre, upon the Earle's Account (whilst his Bussines is a doeing with Mull), & needs non of the King's forces. And upon the other side of Inverlockie, is requisite ther be a Detachment of 80 men from thence, placed at Invergarry, which opens the ways to the Shyres of Invernes & Ross. At Invernes it is fit ther be a body of three hundred men, out of which 60 may be posted at Erchelish in Strathglass (14 myles from Invernes & 12 from Invergarry); that being upon the pass from Seafort & Lovat's Countreys to Lockaber.

These posts are all possest already by His Majestie's forces, excepting Keppach & Invergarry, which may be easily had; and according as the Countrey becomes peaceable, the lesser Garrisons may be disbanded; only Inverlockie cannot be left, but if possible must be improven to a place of Comerce, to the effect the countrey about it may be made Civill.

And that the Governement may be the sooner liberate from the necessity of keeping these lesser Garrisons, it is humbly proposed, that His Majesty grant a Commission of Justiciary, for securing the Peace of the Highlands, to some select Gentlemen living in the Shyres most contiguous to them, as was doon in the tyme of K. Charles the second; which will, undoubtedly, have a powerful influence for suppressing of theefts & robberys, especially the forces being posted as is above said. It did good in K: Charles & K: James his tyme, when it was designed for none, nor yet put in any good hands; so that now it cannot miss to doe good, being in honest mens hands, the Governement weell disposed for the support of it, and the forces posted in a maner for the very use of it. It is alfo fit ther be Conveeners named in each District; that these Conveeners have some allowance per Annum, for the Incident charges they must be at beyond the rest; lest, through the shifting to be at expence, the thing become less effectuall, as it did in K: James his tyme. The Comander of each Garrison ought to be upon the Commission, & the Governor of Inverlockie a Conveener.

It is also requisite for Inverlockie, that it have a particular Jurisdiction over the barbarous Countreys adjacent, as it had in former tymes; lest any encouradgement should be wanting to the Governor now which he had formerly.

As it is requisite that the Governor of Inverlocky be in no relation to any of the adjacent Superiors or Cheefs of Clanes, so it is necessary that none of the highland sort, who speak a languadge not understood by the present Governor, be put in with him in that place; and what is presently amiss of that kynd would be rectified.

And that this may be the more effectually doon, Collonell Hill his own recommendation would be had anent his Officers, who certainly will think of none but such as the Governement may best trust.

It is also necessary that Hill's Regiment consist of 1200 men; in which case it will Imploy all the Centinells that now are in the Regiments of Glencarne, Kenmure, & Grant; these three Regiments being pitifully defective, as can be made appear. And as by the reducing these three to one, ther will be no fewer men in the service then now ther are; so it will save the King twenty thousand lb Sterline yeirly, which may be employed to buy armes.

As to the 3d generall conclusion laid down for the security of the Governement; vizt. that the weell affected part of the nation be armed, & put in a condition to defend the Comon Interest; the above proposall will contribute to it some thing. And if that be short, when the Parliam^{t} meets his Majesty hes it in his power to persuade them to accelerate the tearmes of the Cess, at the rate of a Concession very easy to him, & which will bring in the Money & seasonably, as every thing may be doon to satisfaction.

No. XXI.

Cessation of Hostilities for a stated Time.

WE, Major General Buchan, Brigadeer, and Sr George Barclay, Generall officers of K: James the Seventh his Forces within the Kingdome off Scotland, to Testifie our aversion of shedding Christian Blood, & y^{t} wee design to appear good Scotsmen, and to wish y^{t} this nation may be restored to its wonted and happie peace, Doe agree & consent to a forebearance of all acts of hostilitie & depredān, to be committed upon the subjects of this nation, or England, untill the first day of October next; providing y^{t} there be no acts of hostility or depredān committed upon any of the King's subjects who have been, or are, ingaged in his service under our command either by Sea or Land; Wee haveing given all necessary orders to such as are under [our] Command, to forbear acts of hostility by Sea or Land untill the afforsd tyme. Subscribed at Achallader, ye 30th of June 1691.

Whereas the Cheiftains of Clans have given Bonds not to comitt acts of hostility or depredān before the first day of Octob^{r} next, upon the Conditions contain'd in the afforsd Bonds; & in regard y^{t} the Officers sent by King James to command ye said Chieftains have, by one unanimous consent in their Council of Warr, agreed to ye said forbearance; Therefore I, as having Warrant from King William & Queen Mary to treat with the forsd Highlanders concerning the peace of the Kingdom, doe hierby Certifie y^{t} the s^{d} officers & Chieftains have signed a forbearance of acts of hostility & depredān till the first of October next. Wherefor it's most necessary, just, and reasonable, y^{t} noe acts of hostillity by sea or Land, or depredāns, be comitted upon the saids Officers or any of their partie whom they do command, or upon the Chieftains, or their Kinsmen, friends, tennents, or followers, till the forsd first day of Octob^{r}. Subscribed att Achallader, the 30th day of June 1691.

BRAIDALBINE.

Private Articles.

1.—That if their be either ane Invasion from abroad, or a rising of his Maties subjects in Britain, ye this Agreement is null.

2.—If his Matie doe not approve of the said agreement, it is also null.

3.—And to that purpose there is a passport to be granted to two Gentlemen, to acquaint the King therewith in all heast.

4.—That if their forces goe abroad, then wee will rise.

5.—That

5.—That if King William and Queen Mary deny any or all of these Articles, then my Lord Braidalbine is to joyne us with a thousand Men, which he promises to perform both on oath and honour.

And thir Gen^{ll} Articles are, beside, the particular soums of money and oy^{r} conditions promitted to ye seäll Chieffes.

Those sent to King James, by Major Generall Buchan and ye Clans are Lieut Coll Charters, and Major Duncan Meynes. Their Errand, to crave a speedy reliefe, or a libertie to capitulate and doe the best they can for themselves.

No. XXII.

ORDERS upon which the Massacre of Glenco proceeded; by which 38 persons lost their lives.

Instructions from the King to Coll^{l} Hill.

William R. 16 Jañy 1692.

1. THE copy of that paper given by Macdonald of Aughtera to you hath been shewn us. We did formerly grant passes to Buchan and Cannon, and we do authorize and allow you to grant passes to them, and ten servants to each of them, to come freely and safely to Leith; from that to be transported to the Netherlands before the 15th of March next; to go from thence when they please, without any stop or trouble.

2. We doe allow you to receive the submissions of Glengarry and those with him, upon their taking the oath of alledgiance, and delivering up the house of Invergarry; to be safe as to their lives, but as to their estates to depend upon our mercy.

3. In case you find that the house of Invergarry cannot probably be taken, in this Season of the year, with the artillery and provision ye can bring there; in that case we leave it to your discretion to give Glengarry the assurance of entire indemnity for life and fortune, upon delivering of the house and arms, and taking the oath of alledgiance. In this you are to act as you find the circumstances of the affair do require; but it were much better that those who have not taken the benefit of our indemnity, in the terms within the diet prefixt by our proclamation, should be obliged to render upon mercy. The taking the oath of alledgiance is indispensable, others having already taken it.

4. If McEan of Glenco and that trybe can be well separated from the rest, it will be a proper vindication of the public Justice to extirpate that sect of theives. The double of these instructions is only communicated to Sir Thos Livingstone. W. REX.

No. XXIII.

COPY of Letter from Sir Thos Livingstone to Coll^{l} Hamilton.

Sir, Edin^{h} 23 Jañy 1692.

SINCE my last, I understand that the Laird of Glenco, comeing after the prefixt time, was not admitted to take the oath; which is very good news to us here, being that at Court it is wishd that he had not taken it; so that the very nest might be entirely routed out; for the secretary*, in three of his last letters, has made mention of him; and it is known at court that he has not taken it. So, Sir, here is a fair occasion to shew you that your garrison serves for some use; and being that the order is so posi-

* The Master of Stair, who was afterwards dismissed for his conduct.

tive from Court to me, not to spare any of them that were not timously come in, as you may see by the orders I sent to your Collonel, I desire you would begin with Glenco, and spare nothing of what belongs to them; but do not trouble the Government with prisoners. I shall expect with the first occasion to hear the progress you have made in this, and remain, Sir, your

humble servt
(sic subr) T. LIVINGSTONE.

No. XXIV.

Colli Hill's order to Lieut Col James Hamilton.

Sir, Fort William 12 Febry 1692.

YOU are, with four hundred of my regiment, and the four hundred of my lord Argyll's regiment under the command of Major Duncanson, to march straight to Glenco, and there put in due Execution the orders you have received from the Commander in chieff. Given under my hand at Fort William the 12th July 1692.

(sic subr) J. HILL.

To Lieut. Col. James Hamilton.

No. XXV.

COPY Lt Col. James Hamilton to Major Robert Duncanson, of the Earl of Argyll's Regiment.

Sir, Ballechylls, 12 Febry 1692.

PERSUANT to the commander in chief and my Collonel's order to me, for putting in Execution the King's command against these rebells of Glenco, wherein you, with the party of the Earl of Argyll's regiment under your Command, are to be concerned: You are therefore forthwith to order your affair so, as that the several posts already assign'd you be by you and your several detachments faln in activeness precisely by five of the clock tomorrow morning, being Saturday; at which time I will endeavour the same with those appointed from this Regiment for the other places. It will be most necessary you secure well those avenues on the south side, that the old fox, nor none of his cubbs, get away. The orders are, that none be spared of the sword, nor the Government troubled with prisoners; which is all, until I see you, from, Sir, your most humble Servant

(sic subr) JAMES HAMILTOUNE.

Please to order a guard to secure the ferry, and boats there; and the boats must be all on this side the ferry after your men are over.

For their Majs service.

To Major Robert Duncanson, of the Earl of Argyll's Regt.

No. XXVI.

(COPY) Major Robert Duncanson to Capn Robert Campbell, of Glenlyone.

Sir, 12 Febry 1692.

YOU are hereby ordered to fall upon the rebells the Macdonalds of Glenco, and put all to the sword under seventy. You are to have a special care that the old fox and his sons do not escape your hands; you are to secure all the avenues, that no man escape. This

This you are to put in Execution at five of the clock precisely; and by that time, or very shortly after it, I will strive to be at you with a stronger party. If I do not come to you at five, you are not to tarry for me, but to fall on. This is by the King's speciall commands, for the good and safety of the Countrey, that these miscreants be cut off, root and branch. See that this be put in Execution without fear or favour; or you may expect to be dealt with as one not true to king or government, nor a man fit to carry commission in the King's Service. Expecting you will not fail in the fulfilling hereof, as you love yourself, I subscribe this with my hand at Ballychylls, the 12 Feby 1692. (sic sub^{r}) ROBERT DUNCANSON.

No. XXVII.

Sir John Hill to the Laird of Culloden.*

Dear Sir, Fort William, 9th Octr 1692.

I HEARTILY wish this may find you in good health; and 'tis to let you know, that I am under some apprehensions (not ill grounded) that there are Ill Designs on foot; to make way for which, it will perhaps be pushed on to lessen the Force and take off the small Garrisons (which were alike to me, if as conduceable to his Majesty's Service and the common Good), and to settle a Highland Militia. I have 3 Companys at Inverness, one at Ruthen & Islandonaw, one at Invergarry, and a sixth at Dowart & Carnburge, with 7 Companys here, which are few enough; for we must not have barely such a number as may keep the fort, but to send one, two, or 300 Men upon parties as occasion offers. To lessen these forces, and to set up the other (prima facie), looks very ill; and tho' the Highlanders seem at present inclined to peace, yet too much trust is not to be given, nor too many advantages put into their hands; lest upon any Design of Invasion, or other unhappy Chance of War, they may apprehend their Interest better another Way, & may enterprise accordingly. If these things prove otherwise, I am sure they have been once designed. I only give these private Hints, that honest Men may look about them, and be upon their Guard; keep me secret for the present, lest my Lords Polwarth & Saltoun know what I say. I have, by the inclosed, referred them to You; and I know you may be free with Secretary Jonston; only beware of the Lords; & start nothing of this, unless you find any to stirr in it; but let them be narrowly watched.

I had a very kind letter from the M^{r} of Stair, wherein he tells me there will be no alteration made in this Regiment or Garrison, and that the Establishment will be shortly settled, and that he will also do all he can therein for our Advantage. He also writ about the Jurisdiction (which he thought had been settled as well as it can be till the parliament sit), that it may be erected into a Shire, and that some more Lands may be added to those formerly so erected. I made him return, and gave him two Memoirs, whereof the inclosed are Copies. The Major gave you an Account of a slender, tall, perpendicular Man, gone to London under pretence of a furlough for Ireland, obtained without my knowledge from the Commander in Chief, gain'd by the mediation of the principal of his faction here, who in like manner hath got a furlough for Ireland; but from thence intends for England, as he told me just as he was taking boat, and not before. They should be watched; for w^{t}ever ill they can do, I am sure they will do no good. I wish my people so happy as to be eased of them. I pray that what I write

* This Sir John Hill seems to have been a man of some address; as Capt Carleton, in his Memoirs, states, that he found him in 1690 Governor of Fort William; having been placed there by Oliver Cromwell, and retained his Government during all the changes that took place in the intervening period.

may

may be only to yourself, & those you know to be honest friends. Make me as acceptable as you can to Secretary Jonston, to whom I have now written. We are all peaceable. The by-gone Cess will be got in through the Isle & Highlands; but, coming all together, it falls heavy. The Glenco Men are abundantly civil; I have put them under my Lord Argyle, & have Arkenloss' surety for them till my Lord comes; for they are now my Lord Argyle's Men; for 'twas very necessary they should be under some person of power, and of honesty to the Government.

My Lord Braedalbane is lately become very friendly, & moved hard in some things for us in the Treasury; which some there wondered at. The reason of this I will not venture to guess at; tho' perhaps I might do it, without being beside the purpose. Let the World go which way it will, I will be found faithful to my trust, & just to honest Men and principles; And will always be, as obliged,

Sir, Your most affectionate & very humble Servant

JO. HILL.

Secretary Jonston was saying, he believed the King might be induced to settle a pension on me during Life; and if soe (if no better can be found for a fund), I could wish it were upon the rents of Ila. There is some more reason for it than the World generally knows; for I laid out upwards of £300 S^ls^ on the Irish, and managed so as to keep the Town of Bellfast from utter ruin & burninge, which they were several times resolved to do; otherways the King could have had no Landing-place nor reception for his Stores & sick Men in all the North of Ireland. I pray your favour, Sir, and such friends as you thinke fit to trust, to promote this for me. I know the secretary Jonston will further it, and I believe my Lord Portland also, for he is very kind to me. The King had a certificate from the Magistrates of the Town, under the seal of the Town, which my Lord T. sent him.

No. XXVIII.

Sir John Hill to the Laird of Culloden.

Dear Sir, Fort William, 15th May 1695.

I Do by these salute you, but not trouble you with much at this time, seeing the Major can discourse you in all things of this concerne; but I pray that if you find mouthes open in parliament to our detriment, you will, with the help of other friends, endeavour to stop them. Not that any can say justly what might turn to injury; but yet they may cast Dirt, thinking to make some stick. The Major can tell you I am right with the Secretary Jonston, and I hope with all other honest Men; yet all Men that are honest are not wise; but of all men I admire Grant (whose Father I preserved from a Great Injury intended him), whose Mouth is open against me in all Companys, & I have never merited the least of it. I know not any reason, except that I cannot Dance after a wooden piper. Pray take off this Bull Dog; for I am full of Informations of his Discourse (as full of Malice as it is of untruth); But let that lie bye, & no more of him at this time.

I remember I read a passage in Mr. Caryll's Exposition upon Job, which is both pleasant and true enough: it is on these Words, "Then Job opened his Mouth, & spake:" from hence he observed, That wise Men open their Mouths when they speak, and fools speak with their Mouths open.

I desire that my true service may be presented to my good Lord Polwarth, and to my good friend Com^ry^ Munro.

I need

I need not wish you to continue true to King & the Kirk, since I know you so much devoted that way already.[1] God give wisdom to the Parliament, that all may run in the right Channel, for the honour of God, the safety and honour of the King, and the welfare of the people.

I am, with all Sincerity,
Sir, Your true well wisher & humble Servant,
JO. HILL.

No. XXIX.

King Willm's Order to liberate the Earl of Seaforth from Inverness Garrison. 1696-7.

(Suprascrivit) William R.

RIGHT trustie and right well beloved Councellours, &c. We greet you well. Whereas we are informed, that Kenneth Earle of Seaforth did surrender himself Prisoner to the Commander of our Garrison at Inverness, and hes thrown himself on our Royall mercie: It is our will and pleasure, and we heirby authories and require you to set the said Earle of Seafort at Liberty, upon his finding Bail and Security to live peaceably under our Government, and to compeare before you when called. And that you order our Advocat not to insist in the process of treasone waged against him, untill our further plesur be known therein. For doing whereof, this shall be your Warrand. So we bid you heartily ferwel. Given at our Court at Kensingtone, the first day of March 1696-7, and of our reigne the eight year.

By His Majesty's Command,
(sic subr) TULLIBARDINE.

No. XXX.

Simon Fraser (afterwards Lord Lovat) to the Laird of Cullodin.

Dear Sir, Beaufort, ye 26th of O&r^ 1697.

THIR Lds att Inverness, w^t^ ye rest of my implacable Enemies, does so confound my Wife, that she is uneasy till she see them. I am afraid y^t^ they are so madd w^t^ this disapointment, y^t^ they will propose something to her y^t^ dangerous, her brother having such power w^t^ her; so y^t^ really, till things be perfectly accommodatt, I do nott desire they should see her, & I know not how to manage her. So I hope you will send all the advice you can to

Your oblidged humble Servantt,
SIM. FRASER.

I hope you will excuse me for not going your lenth, since I have such a hard task at home.

No. XXXI.

From Col. Hill, to the Laird of Culloden.

Hon^d^ Sir,

I AM much concerned that your Neighbour Beaufort* hath played (not the Fool, but) the Madman. If, by your persuation, he cannot be induced to deliver up the (so

* This alludes to Simon of Beaufort's marriage, as he called it, with the Dowager Lady Lovat.

much

much abused) Lady, upon assurance of pardon, in all probability he will ruin both himself & friends. 'Tis not long since he was here, & promised me other things; but since he has run a quite contrary course, and stands neither to his own, nor the proposals of any other, I have sent down 200 Men, & had sent more, if just at the same time Orders had not come from the King & Council to reduce my Regiment to the Number of an ordinary Battalion, which is 57 in each Company (whereas they were before 77); which I have done; & the many out Garrisons I have, take up so many men, that just at present I could send no more. My Lieu[t] Coll. went to London, to see to the Affairs of my Regiment; & (finding that the King would settle all conforme to his own pleasure ere he came over,) went to the Hague; but I think the orders were come away before he got thither; soe I have the favour to stand whilst my betters fall. I think you begin to forget me, or to think I live too long; for it's once in a small age that I can have the favour of a line from you; but soe you be well and happy, it makes me so too, who am as you have obliged me,

Dear Sir,

Your most affectionate faithful humble Servant,

Fort William, 7th Nov. 1697. JO. HILL.

No. XXXII.

FROM Simon Fraser (afterwards Lord Lovat) to the Laird of Culloden. Dated Nov[r] y[e] 23[d] 1697.*

Sir,

I PRAY you receive ye inclos'd acompt of my busines, & see if your own conscience, in sight of God, doth not convince you y[t] it is literally true. I hade sent it to you upon Saturday last, but you were not at home; however I sent it y[t] day to ye Laird of Calder, who I hope will not sitt down upon me, but transmitt it to my best friends; & I beseech you, Sir, for God's sak, y[t] you do y[e] like. I know the Chancellour is a just man, notwithstanding of his friendship to my L[d] Tilliberdine. I forgive you for betraying of me; but neither you, nor I, nor I hope God himself, will not forgive y[m] y[t] deceived you, & causd you do it. I am very hopful in my dear Wife's constancy, if they do not put her to death. Now I ad no more, but leaves myself to your discretion, & rests,

Sir,

Your faithful Friend & Servant,

SIM. FRASER.

No. XXXIII.

The Lord Chancellor (Earl of Marchmont) to Culloden. Dated London, 28th April 1698.

Sir,

IN the beginning of this month I wrott to Sir Alexander Monro upon the Publick occurrences and changes in our affairs; and becaus I had not then time to write to you, I laid it upon him to acquaint you what I had written, and did not intend to

* This letter regards the marriage said to have been entered into between Lord Lovat and the Dowager Lady Lovat. For the early history of this Nobleman, see the Memoir written by himself up to the year 1714; and Macpherson's and Carstairs' State Papers.

have

have written myself till I could [have] given you some fuller account of matters then I yet can. Now, finding that matters go slowly at Court in the fashion which you and I are well enough acquainted with, I would not delay longer.

I do believ you, nor other honest men with whom I have sometimes assisted to bear a weight and get through difficulties of Bussiness, shall not have matters which haye lately past in a true light till we meet togither. You will be the more easily perswaded of this, when you understand, that till I had been sometime here I was in the Dark, and did not descern naither the motives, the means, nor the designes which now are pritty clear to me. The argument which I would press upon you, and, by you, upon other worthy men who knows us well, and whom we know, with whom you may have occasion to converse, is, that it is no wayes fitt to draw conclusions, far less to form resolutions, upon premises and suppositions not well discovered, examined, and found to be true in fact, and sound in their subject matter. I shall, God willing, when we meet, treat honest Men honestly and truly, and pretend to prevail no more upon them in reasoning, then they find the strenth of reason to oblige them. You know I am no young man, nor a novice at this Court; and I hope many more know that I will never debase myself to manege a trick, tho' I were dealing with persons of weak understanding. But, as all they upon whom I can pretend to have any influence are persons of understanding, and worth, and truth, so I hope to approve myself of the like sort towards them; and becaus Storys, by telling and retelling, takes strange shaps in a long course, I shall be glad that honest Men be armed against them. I have been only thrice in the King's Closet with him; the tyme I had was wholly upon Publick Bussiness; as to which, his Mat^{y} proposed nothing but what was very moderate, and what he gave good reasons for, of which I doubt not to be able to satisfie all discreet Men, well affected to the King and the establisht Goverment. His way towards me has been very gracious and obligeing; but he is so much taken up at present with the forrain Ambassadours and Ministers, and with the Bussyness of the Parliament here, now drawing near to a close, that it occasions some delay in ordering the matters of Scotland; yet I hope to be at Edinburgh in the beginning of June; and, for ought I yet know, the Parliament may meet in the beginning of July; but what happens you shall know, either from me or from Sir Alexander Monro. My Wife & I kindly salute you, your Lady and famyly; and I remain your very humble Servant and faithful friend,

MARCHMONT.

No. XXXIV.

Mr. John Forbes to his Brother, The Right Honorable Duncan Forbes, dated Fort William, the 2^{d} of November 1698.

Right Honourable,

I HAVE yours of the 21st of October, and humbly thanks your Excellencie for causing my desyres to be proposed to the King. But the other man you mentione will be noways agreeable to me by what I am informed of him; and I will know how to make the best choyse of officers well enough, if it com to ly att my Door. But I humbly pray your Excellencie's favor to have the major of my own choise, of which I writ in a former. I am infinitely obleidged to you for your great care of me, and kindness to me, in every thing; and particularly about the Armes, which were of absolute necessity. As for the reforming those Companies before they come here, I gave my reasones in my last by Capt. Forbes, and by ane other since, and shall not be so

troublsome as to repeate. I have writen the inclosed as my humble opiniõne; which is too large, but that a pairt of the discourse was necessary to usher in the particulars designed. Please to pardon errors and excuse frailties. I judge you most right as to the most feasible way of reduceing these Countries, if it be approved; and then the fittest instruments may be piched upon; but then things will be found much as I have stated theme, upon the French assistance, or not. The moneth's pay that came up hear for the Men was punctually payed out to them, and I believe it far spent; and these Comp^{s} newly come have nothing. Ther is not 2 pence now not amongst a dozen Subalternes. I was fain to lend them a litle out of my own purse, to help Glencarne's Men from deserting; For I find no Souldiers that come here will undertake to live on Meall only, and they can have nothing else without money; and I have only 100 lbs. which the Commissars sent from Leith, the money for the Works being expended, and can goe no furder without more. If my Lord Argyle's expeditione were ower, I would send for Orbrey for that more; for I have no timber to goe on with the Work; they sent Deales, but no Timber. I can now have both fir, and Oake, and Plank for Platformes and the Bridge; and have ordered it to be gotten, but have not Money to pay for it; otherwayes it will be cheaper than any they can send, besydes saving the fraught. We have made our Batteries as strong as we can to the Sea, so that our greatest Gunes can be all planted ther. For Captan Ross, I lyke him well enough; but his Men ar nought, and not induceable as my former acquanted you. Weeme's Men will not stay. For y^{t} of Ardbindloss and others I humbly referr to my last. I hop the tyme is drawing near y^{t} money will be coming in; and without that, if these men come up, they will run all away. The Meall we hade is almost run out; I wish it last till the Ship come about from Glasgow. God forgive all that would oppose your just endeavours for the publick good. I know the Lord will have a care of them that trust in him, and of his own cause: it is well he governes the World. I humbly thank your Excellency for the freedome you'r pleased to use, and the trust you give me; it argues great favour and kindnes, whereof I am truly sensible, and for which I ame thankfull; and can assure you, my heart is with you in every good thing, without Byess or Selfend. So God may have Glory, his Cause carried on, and the King's intrest served, I shall never allow any thing that may concern myself, but in all things follow his providence. It is well that God is the searcher of all hearts, and knowes who are upright; that's a good Man's Satisfactione, tho [men] censure him neversoe severly. I beseech your Excellency to believe that I am, with great sincerity,

Your most obedient, most humble,
and most faithfull Servant,
JO. FORBES.

No. XXXV.

LORD Seafield to Colloden. Dated from Whitehall, Octr 24th 1699.

Sir,

I HAVE now yor 3^{d} Letter, and you shall find me very ready to do you the kindness you propose. I am not as yet in waiting; but how soon I can have an opportunity of doing Business, I will remember the other particular you recommend. I am very sensible that a great many are ready to lay the misfortune we have had at Darien upon His Maj^{tys} Proclamations; & I am truly sorry that thos that are disaffected have this handle to lay hold on; but we in Scotland little consider how his Maj^{ty} was engaged both with England & Spain; & that, notwithstanding the Proclamations, the Colony would have had provisions, had they had either Money or Credit. They had also divisions

amongst themselves, & they had non of authority enough amongst them to keep them in order. I am obliged to you for writing so kindly concerning myself. I shall say nothing but this, that God knows that on all occasions I have been ready to do for them what was in my power; and as to my carriage in that matter befor the last Parliament, I was so happy of having the occasion to give an Acc[t] which I think was satisfying to most that heard me, and you may remember it; and as for what has past since that time, My Lord Carmichael, My L[d] President of the Session, & the Advocate, can bear witness that I did with all the earnestness & zeal in me for the service of the Company, and for which I had the Company's thanks when I was last in Scotland. So I cannot understand what they can say of me upon this occasion; which is all I shall trouble you with at present.

I am, Sir,
Your most humble Serv[t]
SEAFIELD.

No. XXXVI.

FROM M[r] Duncan Forbes to his brother Col[l] Forbes, dated Edinburgh, 6th Febry 1700; Giving an Account of a Great Fire in Edinburgh.

D[r] Brother,

I KNOW not if this comes to yo[r] hand, because it goes in the Aberdeen's Bag, ther being none going off for Inverness with the Mounday's post. My last was with humbleng news, & this with news more humbleng. Upon Saturday's night, by ten a Clock, a fyre burst out in M[r] John Buchan's closet window, towards the Meall Mercate. It continued whill eleven a clock of the day with the greatest frayor & vehemency that ever I saw fyre do, notwithstanding that I saw London burne.

Ther are burnt, by the easiest computation, betwixt 3 & 400 familys; all the pryde of Eden[r] is sunk; from the Cowgate to the High Street all is burnt, & hardly one stone left upon another. The Commissioner, President of the Parl[t], Pres[t] of the Session, the Bank, most of the Lords, Lawyers, & Clerks, were all burnt, & many good & great familys. It's said just now by S[r] John Cochran & Jordan-hill, that ther is more rent burnt in this fyre then the whole City of Glasgow will amount to. The Parliament House very hardly escapt; all Registers confounded; Clerks Chambers, & processes, in such a confusion, that the Lords & Officers of State are just now mett at Rosse's Taverne, in order to adjourneing of the Sessione by reason of the dissorder. Few people are lost, if any att all; but ther was neither heart nor hand left amongst them for saveing from the fyre, nor a drop of water in the Cisternes: twenty thousand hands flitting ther trash they know not wher, & hardly 20 at work. These babells, of ten & fourteen story high, are down to the Ground, & ther fall's very terrible. Many rueful spectacles, such as Corserig naked, with a Child under his Oxter, happing for his lyffe; The Fish Mercate, & all from the Cow Gate to Pett Street's Close, burnt; The Exchange, waults, & Coall Cellars under the Parliament Close, are still burneing. This Epitome of dissolution I send you, without saying any more, but that the Lord is angry with us, & I see no intercessor. Tell your Wyffe her friends are weell; & if this come to hand, send it to my Wyffe howsoon you have read it. I bid you adieu, and am,

Y[r] Lo[s] bro[yr] to serve you,
D. FORBES.

I have heard nothing from you, nor from home, since I left you.

No. XXXVII.

Earl of Argyll to Culloden. Dated Edinburgh, Septr 5th, 1700.

Sir,

IN complyance with your desyre, and a great many other Gentlemen, together with my own inclination to endeavour a piéce of Justice, I have made it my chief concern to obtain Beaufort's (now I think I may say Lord Lovatt's) pardon, & the other Gentlemen concerned with him in the convocation & seizing of prisoners, wch are crymes more immediately against his Matie; wch I have at last obtain'd, and has it in my custody. I designe tomorrow for Argyllshyre; and, ther not being a Quorum of Exequer in Town, am oblidged to delay passing the remission till next Moneth. We have all had lyes enuf of his Ma^{ne} before: his goodnesse in this will, I hope, return my friend Colloden to his old consistency, and make E. Argyll appear to him as good a Presbiterian, and a weel wisher to his Country in no lesse degree then Tullibardine, who plundered my Land some tyme agoe, & Colloden's lately. Pray recover the same spiritt you had at the Revolution; let us lay assyde all resentments ill founded; all projects wch may shake our foundation; let us follow no more phantasms (I may say rather Divells), who, with a specious pretext leading us into the Dark, may drown'd us. I fynd some honest Mens eyes are opened, and I shall be sorie if Colloden's continue dimm. You have been led by Jacobitt Generalls to fight for Presbiterie, & the liberty of the Country. Is that consistent? If not speedily remeded, remember I tell you the posteritie of such will curse them. Let me have a plain satisfactorie answer from you, that I may be in perfect Charitie with Colloden.

Adieu.

No. XXXVIII.

Lord Seafield to the Laird of Culloden. Dated Whithall, Decem^{r} 30th, 1701.

Sir,

I HAVE receaved yor Letter, and I have since concurred with the Earle of Hynfoord in presenting the Address of the Commissioners of the Northern Justiciary. It was very acceptable to his Ma^{ty}, to have renewed assurances of their Loyalty and Fidelity to him in this Juncture; when the French King has, contrary to his own treatties and his Ma^{ts} unquestionable right, owned the pretended Prince of Wales as King of His Ma^{ts} dominions; and as this does give us a clear view of the dangers to which wee are exposed, so I hope it will unite all honest men to support his Ma^{ts} government, which, under God, is the great Security of our religion, laws, and liberties. His Majesty did impower both my Lord Hynfoord & me to return the Commissioners his hearty thanks; and to assure them of his Protection, and that nothing will render them more acceptable to him than that they fall upon effectuall methods for secureing the peace of the Countrey, and extirpating thefts & Robberies; and he was very well satisfied when I informed him, that the Commission and Highland Companies had allready been of very great use for those ends. You may communicate what I have written to those who concurred in the Address; and you may believe that

I am, Sir,

Your most faithfull & most humble Servant,

SEAFIELD.

No. XXXIX.

No. XXXIX.

Lord Seafield to the Laird of Culloden. Dated Whithall, March 24th, 1702.

Sir,

I RECEAVED yor kind and oblidgeing letter, in which you express yor great concern for the success of his Mats affairs; and I had certainly acquainted him with it, but he was ill att that time, and it was not proper to speak to him of business that could admitt of any delay; and now God has afflicted us by removing him by death, which is ane unspeakable loss to these Nations. Wee ow much to his Memory; and the best tribute wee can pay to it is, to follow out his measures, and to support the Queen, whose right is founded upon the same act of Settlement; and I truely believe she will give us full Protection in all our concerns. She has taken the Coronation Oath in presence of eleven of her Privy Council, and has assumed the Exercise of the Regall Government, and has, by the signed opinion of 32 of her Privy Council, adjourned the Parliat to the 26th of May, and has named the Duke of Queensberry to be Commissioner. Now I know you have zeal for yor religion and Countrey, and this is a time to shew it; and let us not, who are of the same principles, differ, and promote annimosities, to the ruine of all that wee enjoy which is valuable.

You know that after her Majesty's reign we have no Settlement; and I am afraid we shall fall into confusion, and become a prey to those who are waiting for our halting. For preventing this, the King did seriously and earnestly recommend the Union of the Two Nations; and since his death the queen has done the lyke, and the Whigg party have appeared to be very sincere for it, and I hope the other party will at last come into it. I must intreat that you be at Edinburgh precisely against the 26th of May, and I hope the Laird of Kilraick will also come; and it will give me great satisfactione if I see such as have interest and estates, and a value for Religion, act as they ought to doe on this occasione. I will endeavour to write again to you, & some of yor neighbours, before I part from this place. As for yor Son in law, Burdsyeirds, I know him to be faithfull to the present Constitution of the Government, & friendly to myself; & therefor my inclinations are to serve him if I can; but if wee doe levy Regiments there are but two of foot, which in all furnishes but 12 Captns, and there are a vast number putting in to be employed. As for what concernes yorself, I shall leave till meetting. Give my service kindly to Kilraick. I only add, that I am, Sir,

Your most faithfull & humble Servant,

Cullodin. SEAFIELD.

No. XL

ANONYMOUS to Duncan Forbes. Coll, 28 August 1714.

Dear Cusine,

JUST as I had sealed my Letters to the Brigadeer and you, The Letter with the Red wax came express from *Kill*: you perhaps cannot read it; But Grant, who is well acquainted with the hand, can. Some believes that this Gentleman, mentioned in the Letter, is the Pretender; and I am much of that Opinion, because of a certain Joy and Resolution that of late appears in the Countenances and Conversation of the Jacobites; which tho' somewhat reserved, yet they still are positive, and persevere that he will come, tho' the French should give him no assistance. Therefore, how

soon

soon this comes to hand, you are to advise it with the Justices, that Forces may be immediately ordered for this Country. I wish they come not too late. The Tories have one other piece of News buzzing amongst them; that if the Pretender can but let the French see that he has any thing like a party to back him, either in England, or Scotland, worth the while, that then the French King will assist him to the outmost of his power; and this thought is not improbable. Therefore I again desire, that you and Grant may be pressing with the Justices, that some speedy course be taken for the preservation of the peace and quiet of this Country. For, according to the old proverb, its better keep out than put out; the advice in this Letter is not to be slighted; for I assure you, the Highlanders have had very frequent meetings, and have been randezvousing their men this last week. I add no more, being weary; but hopes your diligence in this affair, and assures you that I am ever yours. You know the hand.

Adieu.

No. XLI.

The Pretender's Declaration.

JAMES R.

JAMES the third, by the Grace of God King of Great Britain, France, and Ireland, Defender of the faith, &c. To all Kings, Princes, and Potentates, and our loveing Subjects, Greeting.

IN such ane extraordinary and important conjuncture, in which not only our hereditary right to our Crowns is so unjustly violated, But the interest of all the Soveraing Princes of Europe is so deeply concerned, wee could not be silent without being wanting to our selffs and them.

Every body knows, that the Revolution in the year 1688 ruined the English Monarchy, and laid the foundation of a Reipublickan Goverment, by devolveing the Soveraing Power on the People, who assembled themselves without any authority, voted themselves a Parl^{t}, and assumed a right of deposeing and electing Kings, contrarie to the fundamentall laws of the land, and the most express and solemn Oathes that Christians are capable of taking; and no body can be ignorant how unjustly the late King our Father, of blessed Memory, suffered by this unjustifyable Revolution.

After his Demise, his Crowns, which the Prince of Orange had usurped, being then rightfully ours, according to the foundamentall laws of the Land, wee immediately claim'd our right to the same by a Declaration under our great Seall, dated att St Germain's the 8th of Oct^{br} 1704. And as soon as it pleased divine providence to enable us attempt the Recovery thereoff, we readylie embraced the occasion; And 'tis sufficiently known that the miscarriage of that expedition could not be imputed to us.

When we found, affter this, that a treaty of peace was upon the point off being concluded, without any regaird had to us, we published our Protestation, Dated at St Germains, the 25th Aprile 1712, in the most solemn & authentick manner our circumstances would then allow of; asserting thereby our incontestable right to our Crowns, and protested against whatever might be stipulated in the s^{d} treatie to our prejudice.

Tho wee have been obliged since that tyme to remove from France to a more remot place, wee have still continued to have our Kingdoms and our people in our view, to whom

whom wee are convinced that God in his Mercy will sooner or later restore us; and, notwithstanding the malice and open Rebellion of some, and the forced complyance of others, wee have never ceased to hope that God would in tyme open our people's Eyes, and convince them not only of the notorious injustice done to the Crown and us, but of the dangerous consequences thereoff for themselves. It is not our Interest alone wee are concerned for; our naturall and unalterable love for our people is such, that as wee could not see without grieff their blood and treasure lavisht in the late Warr in opposition to our undoubted right, so wee cannot now with less sorrow see them exposed to be subjected to ane arbitrary power, and become a prey to foreingers.

Besydes that the Elector of Brownswick is one of the remotest Relations wee have, and consequently one of the remotest Pretenders to our Crowns after us, it is evident that nothing is more oposite to the maxims of England in all respects then that unjust Settlement of the Succession upon his family. He is a forreinger, a powerfull prince, and absolute in his own Country, where he has never met with the least contradiction from his Subjects. He is ignorant of our laws, manners, customes, and language, and supported by a good army of his own people; besyds the assistance which a neighbouring State is obliged to grant him upon demand, and many thousands of Aliens refugd in England these 30 years past, who, haveing their dependence wholly upon him, will be ready to stand by him upon all occasions.

Moreover, what can our Subjects expect, but endless Wars and divisions, from subverting so sacred and fundamentall a constitution as that of hereditary right, which has still prevailed against all usurpations, how successfull and for how long time soever continued; the Government finding still no rest till it returned again to its own Center. And how can they be ignorant of the just pretensions of so many other princes that are before the House of Hannover, whose right after us will be as undoubted as our own, and who neither want will nor power to assert it in their turns, and to entail a perpetuall warr upon our kingdoms, with a Civill Warr in their own Bowells, which their Divisions will make unavoidable.

From all which it is plain, our people can never enjoy any lasting Peace or happiness till they settle the succession again in the rightfull line, and recall us, the immediate lawfull heir, and the only born Englishman now left of the Royall Family.

This being certainly the true interest of Great Britain, we had reason to hope that a wise people would not have lost so naturall an occasion of recalling us as they have lately had, since they could not but see, by all the stepps we have hitherto made, that we had rather owe our restoration to the good will of our people, than involve them in a Warr tho' never so just; besides that they know, or might have known, the reiterated inviolable assurances we have given them under our hand, that whensoever it should please God to restore us, we would make the laws of the Land the Rule of our Government, and grant to our Subjects a generall Indemnity for whatsoever has been done contrary to the said Laws; And all the Security and Satisfaction they could desire, for the Preservation of their Religion, Right, Liberties, and Properties.

Yet, contrary to our Expectations, upon the death of the Princess our Sister (of whose good intentions towards us we could not for some time past well doubt, and this was the reason we then satt still, expecting the good effects thereof, which were unfortunately prevented by her deplorable death), we found that our people, instead of takeing this favourable opportunity of retrieving the honour & true interest of their Country, by doing us and themselves Justice, had immediately proclaimed for their King a forreign prince, to our prejudice, contrary to the fundamentall and incontestable laws of hereditary right, which their pretended Acts of Settlement can never abrogate.

After

After this height of Injustice, we then thought ourselves bound in honour and duty, and indispensibly obliged by what we owe to ourself, to our posterity, and to our people, to indeavour to assert our right in the best manner we could. Accordingly, upon the first notice sent us, we parted from our ordinary residence, in order to repair to some part of our Dominions, and there to put ourself at the head of such of our lawfull Subjects as were disposed to stand by us, and defend us and themselves from all forreign Invasion; but in our passing thro' France to the Sea Coast, we were there not only refused all succour and assistance, upon account of the Engagements that King is under by the late treaty of Peace, but we were even debarred passage, and obliged to return back to Lorrain.

After meeting with such sensible disappointments on all sides, the only comfort left us is, that we have done our part at least to attain our just ends, and have nothing upon that score to reproach ourself with; and as our case is just, we doubt not but God will in his own due time furnish us with new means to support it; and that he will at last touch the hearts of our Subjects with a true sence of the crying injury that they have done us and themselves, and move them effectually to return to their duty.

We likewise hope that all Christian Princes and Potentates, who are now in peace together, will reflect upon the dangerous example here given them, and ye formidable Effects they are threatened with from such an united force as that of England & Hanover; and that they seriously consider, weither the exhorbitant power that now accrews to the House of Brunswick be consistent with the balance of power they have been fighting for all this last Warr. And therefore we call on them for their assistance for the recovery of our Dominions; which their interest, as well as Honour, engages them to grant us, as far as they are able. In the mean time, in the Circumstances we are in, We have nothing left in our power to do at present, but to declare to the World, that as our right is indefeasible, so we are resolved, with the help of God, never to depart from it but with our life. And therefore we do here solemnly protest again, in the strongest manner we are capable of, against all Injustices that have been, or shall hereafter be done, to the prejudice of us, our lawfull heirs and Succes-sors; Reserving and asserting, by these p̄sents under our Great Seal, all our rights, claims, and pretensions whatsoever, which do and shall remain in their full force and vigour; declareing, that after this we shall not think ourselves answerable, before God or Man, for the pernicious consequences which this new usurpation of our Crowns may draw upon our Subjects, and upon all Christendom.

Given at our Court at Plombeirs, ye 29th Aug^st^ 1714.

No. XLII.

Lord Lovat to the Laird of Culloden.

Much honoured and Dr Sir,

THE real frdship y^t^ I know you have for my person & family makes me take the freedom to assure you of my kind service, & to intreat of you to join w^h^ my other friends betwixt Spy & Nesse, to sign the adresse ye Court requires, in order to give me my remission. Your Cousine James, who has generously expos'd himself to bring me out of Chains, will inform you of all steps & circumstances of my affaires since he saw me. I wish, Dr Sir, from my heart, you were here; I am confident you would speak to the Duke of Argyle, & to the Earle of Isla, to let them know their own interest, and their reiterated promises to do for me. Perhaps they

they may have, sooner than they expect, a most serious occasion for my service. But its needless now to preach y^t^ Doctrine to them; they think ymselves in ane infallible security; I wish they may not be mistaken. However, I think its the interest of all those who love this Government, betwixt Spy & Nesse, to see me at the head of my Clan ready to join them; so y^t^ I belive none of them will refuse to sign ane Adrese to make me a Scotsman. I am perswaded, Dr Sir, y^t^ you will be of good example to y^m^ on y^t^ head. But secrecy, above all, most be keept; wtout which all may go wrong. I hope you will be stirring for the parliament; for I will not be reconcil'd to you if you let Prestonall outvote you. Bregadeer Grant, to whom I am infinitely obliged, has writen to Foyers to give you his vote; & he is ane ungrat villain if he refuses him. [If] I was at home, the litle pityfull Barons of the Aird durst not refuse you. But I am hopefull y^t^ the news of my going to Brittain will hinder Prestonall to go north; for I may come to meet him when he lest thinks of me. I am very impatient to see you, & to assure you most sincerely how much I am, w^h^ love & respect,

Right Honourable, Your most obedient
& most humble Servant.

the 24th of Novr 1714. LOVAT.

No. XLIII.

M^r^ Jo. Forbes to his Brother Mr Duncan Forbes, Dated 18 Xber 1714.

Dear Brother,

I SEND you by this Express a packet, which if my Lord Ilay is at Edin^h^ you yourself are to deliver to him, and if still att London to forward carefully to him. It contains ane Address from the Frasers to the King; and likewise a full resignation of ther Clan to Argyle, as ther Chieff. Ther doing this at a jouncture when the other Clans are forceing through ane other Address in favours of the high Church, and I truly think pairtly levelled at Argyle, ought not to be forgot; for I can assure you there was no stone left unturn'd by the other Clans to divert them from it; even to that degree, that they were at daggers drawing about it. I therefore truely think the Duke should take them heartily by the hand, and support them now that they have cast out with all the Hylands on his Grace's accoumpt. Our aird Frasers vizt Relict, Dunballach, Belladrum, Kinnarids, and Dunballach's brethren, have subscribed the Hyland Address, with Fraserdealls; but Ahnagarn would not. Pray fail not to speak to my Lord Ilay, that he cause Streachen, who is now at the Colledge or with my Lady Duches at Didiston, subscribe the Frasers Address before it's sent up. I send you also a Memorandum anent the Elections, which I doubt not you'll take care of. I know very well that neither Relict or Dunballach are in possession of 400lbs valued rent; and what else the old Retours of these two Barronies were, they are now so divyded that it's thought by every bodie they will not answer to separate fortie shill. lands as now possest.

I entreat you'll be att pains in this thing; for if there's any life in it, I will certainly carry my election. Therfor send me ane authentick double of those Barronies, ther Lands, and Retours, in the termes of the note herewith sent you. I wonder much I hear no word from Grant. Col. A. M'Kynzie was at Inverness all this Week, and he's made a strong partie there for himself against Stewart; yett I'm hopeful Stewart may carrie it; only ther is one thing Stewart must doe, otherwise Killravock will not yield his pretensions; and that is, That he not only give his Vote as a Barron to young Killravock in the Shyre of Cromarty; but also he must deall with Argyle and Royston, to write to Sir Keneth to give his interest also to Killravock: so tell Will Stewart

this, that he may do all he can in this mater. We have a Storie att Inverness, notwithstanding of what you wrote me of the 2d Xber, That Argyle and the Squadron are not in good termes; and as a proof of this they say, That Montrose has wrote to the town in favour of Col McKynzie; and if they cannot carrie him, any Man rather than Stewart; but I cannot believe this. Glendarnell has been in this Countrie, and very active in promots the Hyland Address; and also medling all he could in our Elections. I wonder much, that the Goverment does not take notice of such Incendiaries. He assures very confidently, that we are to have Warr with France; and that the Chevalier will be with us in the spring, and that the House of Commons will be Torie by a great majority; and then he hopes this Ministrie will turn out as fast as ever they turn'd in; and yet, for all these stories, he doubts not in the least but on the presenting his Hyland Address to be repon'd to his Commission. I think, if he were right served, he should rather gett a healter. Killravock intreats, that how soon the parliament is dissolved, you call for the Writts of the Shyre of Ross, and lett them be sent to him or me with all possible speed; you may easily guess our meaning, if you think on Channerie. You are lykewise to be the more active in sending me the returns I call for, that att writteing hereof I am certainly informed that my worthie friend and dear Comrade Brodie is dead; and therfore send me by the bearer my black Cloathes that lyes in Mr. Monroe's. This man's Death is a very considerable loss to us. May the Lord himself prepare us. Our Mother and all friends are weel. I am

Yours,

Coll. 18th Xber 1714. JO. FORBES.

No. XLIV.

Mr. Duncan Forbes to the Laird of Culloden.

Dear Brother, Edinburgh, 31 December 1714.

THIS Christmas season is more a time of conjecture than of News. Dyer formerly was wont to prophecy what was to happen from the Plots that were laid down at this time; but that is now over, and there is not so much as a Whisper of any project, Whigg or Tory, further than that of Elections for the ensuing Parliament; which, it is said by people who pretend to understand, will be Whigg, by some Majority; and indeed one thing is certain, that the Mobb of London, and in proportion that of the rest of England, is come to much juster sentiments of our King than those they formerly entertained; in so much that some of those audacious Sermons which you might have heard preached, concerning the danger of the Church, and the King's title, at London, met with contempt instead of applause from the hearers; and the persons who held forth in Sacheverell's stile, had abundance of difficulty to escape without afronts.

Our new Commission of Police, as they call it, is come down: the Commissioners are, Tweddale, Sutherland, Buchan, Marchmont, Bute, Delorrain, Glenagies, Thomas Kennedy, and Mr Charles Airskin (Buchan's Brother). Their business is, to present Ministers to such Kirks as the King is Patron of; to notice nonjurors, papists, Highland Clans, the poor of the nation, Highways, Ports, and navigable Rivers, &c; and their Sallarys are, Twedale, President, £1200; every Peer £800; each Commoner £400.

Upon Information that Beaufort, alias Lovat, is at London and intends to come down, Fraserdale has been at the Justice Clerk, requiring ane Extract of the process and sentence against him. How far Argyle is privy to his comming I know not.

DUN. FORBES.

Show this to my Mother, and excuse me for not writing to her.

No. XLV.

No. XLV.

MEMORIALL for the President of the Session in Scotland, 1714.

To the King.

MEMORIALL for Sir Hew Dalrymple, of North Berwick, President of His Majestie's Court of Session in Scotland.

THE Court of Session is the supreme ordinary Judicator in Scotland, of great authority, wherein the Kings, his Maties Royall Predecessors, before the union of the two Kingdoms in the Person of King James the first of Great Brittaine, were in use to sitt.

The President of that Court had not only ane equall share of the Provisions settled upon the Lords of Session; but our Princes were furder pleased to grant ane extraordinary Sallary to the President, to enable him to live according to the Caracter of that Office; wherein regaird was had to the circumstances of the person promoted to that Dignity; as in the case of Sir George Lockhart, who was taken from a very lucrative imployment at the Bar. He got a Pension of £1200, as President, besydes his Sallary as one of the ordinary Lords of Session, wth the usuall Present of Wines allowed by the Treasurie: in all about £1500. And the President of the Session that now is, being in lyke maner advanced from the Bar, he had a Pension of £700. as President, and the lyke Present of Wynes, besydes a share of the provision of the ordinary Lords: in all, £1000.

The expence of living increasing, and the Parliament of Scotland judging the Provision of the President and Ordinary Lords of Session not to be suitable to the Dignity & caracter of these Offices, did in the last Session of the Parliament, wherein the treaty of Union was ratified, humbly and in a most particular maner adress her late Matie of Glorious memory, in Behalfe of the President & Remanent Lords of Session, for additional Sallaries.

Her Matie, in complyance with that Address, by a Letter under her Royall hand to the Lords of Session, was graciously pleased to declare her intention to make up to each of the Lords £500. and to the President of the Session £1,000 yearly; whereby the President was entitled to £1,000. as President, and £500. as one of the Lords: £1,500. in all.

Nevertheless, when the Establishment came to be made out, in pursuance of the Adress of Parliament, & her Maties Letter, The President did not receive the benefitt intended; for hitherto, in place of £1,000., he hath only received £800. as President, and hath not bein allowed any share of £300. regularly payed to each of the other Lords of Session ever since the Union.

The President did furder continue to receive his share of the old Sallary of £200. belonging to him as one of the Lords of Session. But that can never be reckoned to make up a part of the £1,000 mentioned in her Maties Letter; Because that old Sallary belonged to him, not as President, but as one of the Lords, and was not issued out of the Treasurie of Scotland before the Union, nor of Great Brittaine since, but did arise from the Interest of a Stock of Money, and other appropriated funds, given by Parliament to the Lords of Session.

This £800. allowed to the President, is very litle if any thing better then what he had formerly; for before the Union he had £700. as President, and a Present of Wines allowed him by the Treasurie, and the old Sallary of £200. as one of the

Lords; £1,000. in all; so that what hes bein hitherto received is no better then his former Settlement, unless the said Wines be reckoned less valuable then £100. which must be so inconsiderable as not worth noticing: so that the Adress of Parliament, and her Maties gracious letter, have hitherto been altogether ineffectuall to the President; which certainly was never intended; for,

1°—The Adress is in behalfe of the President, for ane additional Sallary to him.

2°—Her Maties pleasure was, that each of the Lords should be made up £500. and the President £1,000; whereof the plain meaning is, that the Lords as Lords, and the President as President, should have these respective settlements. And the Lord Justice Clerk and Clerk Register (who have since that Adress and Letter bein Lords of Session) had their shares as Lords, besydes their full Sallaries belonging to their Offices; and soe it hes allwayes bein formerly in the case of the President, or any other Office enjoyed by a Lord of Session.

3^tio—It pleased her late Matie to take care of all the other Judges of Scotland; and the President does belive that no mark of distinction was intended to the prejudice of him personally, or to the prejudice of his office.

4to—If all that is proposed were granted in behalf of the President, His Sallary of £1,500. would yet be but suitable, considering the bounty of the Giver, and the greatness of the Government of the United Kingdom in which he serves; and that the Office of President of the Session was allwayes the first in rank of the Judges, ane Imployment of great weight, requiring ane assiduous and closs application; for which reason it had allwayes a Sallary above that of the Lord Register, Justice Clerk, or King's Advocat, or any other Judge; and the Sallaries of the other Lords being raised from £200. to £500. the addition proposed to the Lord President's Sallary is no more then proportionall.

How soon the late establishment was Publick, My Lord President did cause lay a Memoriall before the Earle of Godolphine, then Lord Treasurer, setting furth his Claim; and he is well informed that my Lord Treasurer was convinced there was a mistake in the Establishment, and made some steps towards a rectification, as well with relation to the tyme past as to come; which was then put off till some other particulars relating to Scotland should be considered, and thereafter obstructed by the great alterations which happened in the Treasurie & other public affaires.

The wholl is most humbly offered to his Maties consideration, that such directions may be given thereupon, both with relation to what is wanting for the tyme past, and in tyme coming, as shall appear most suitable to Justice, and to His Maties Royall Bounty.

No. XLVI.

Mr. Munro to the Laird of Coulodden. Dated Foules, 17th Feb^r 1715.

Dear Sir,

I HAVE yours of yesterday's date at twelve o'Clock this day. It is not possible I can have any Account of the Proceedings at Wick yesterday, befor Saturday next at the soonest. I shall endeavour to informe you of the event therof when any Account of it shall come to my knowledge. Coulraine is with my Son in Caithness; and I shall disspatch ane express to meet him in Sutherland with your Letter, with one from myself to him, & another to Captan Robert Munro, that he may doe with his Brother-in-law as he promised me heir. I doubt not but that Coulraine will meet with Captan Monro in Sutherland, & will use his outmost endeavour with him to perform his engadgment to Coulraine & me. I find the Jacobits are werie uppish, both in Edbr & in

in England; so that if ye go to the Parliament as I hope ye will, you will recommend to some trustie faithfull frend to take care of your House of Coulodden; & leave Orders with your people at Ferintosh to receive directions from me, or from your Cousen George (my Son as you are pleased to call him); which you may be sure will be calculat to the support of your Interest in subordination to the public Cause as possiblie I can. I offer my affectionat humble duty to your Lady. All here joyn with me in giving you the tender of our most afectionate respects; being, Dear Sir,

Your most humble Servant, & afectionat Uncle,

J. B. MUNRO.

The vanitie, insolence, arogance, & maddness of the Jacobits is beyond all measure unsupportable. I bleeve they most be let blood. They still have a trick of presuming upon the lenitie of a moderat Government. It seems, God either destines them for destruction, or infatuates others to allow them to be pricks in our sides & Thornes in our Eyes. I have account from verie good hands from Edbr that to their certan knowledge Saidles were making in that Citie for Dragounes to serve the Pretender; & that all the Popish Lords and verie manie Popish and Jacobits Gentlemen are assembled there now; so that all friends and Loyall subjects to his present Majestie are advysed to be upon there Guard from thence against ane Invasion or Insurrection, which is suddenly expected, which the Jacobits pretend will interrupt the meeting of the Parliat.

Adieu.

No. XLVII.

Mr. John Forbes to his brother Mr. Duncan Forbes.

Dear Brother,

THE hurrie I was in last week made me neglect answering your Letters; but I bid Mr Baillie tell you how matters past. I cam to this place last night in companie with M^c^Intosh, who I hope will return a kyndly answer to my Lord Ilay's Letter. I thought it needless to deliver Cromartie's Letter, because the Election for that Shyre was over before it came to my hand, and also because of the disappointment Killravock mett with, after a great many Promises and Protestations off friendship. And I truly think, if the Duke of Argyle desyres any Favours, he should be advysed to bestow them better then on such as never can be hearty for the present Government, nor firm friends to his familie. You may make what use of this you please.

You say you have no newes; but we abound with them in this Countrie. The Pretender is expected every moment, and his friends all raddie; but since our steatsmen takes no notice of this, I lett it allone, and wishes they may not repent it when they cannot help it.

Ane other Storie we have is, That Argyle and the Squadron are att dagers-drawing; and notwithstanding of what you have wrote me I wish it be not found too true; For if his Grace be supporting Carnwath, Mr Murray, and such People as these, in ther Elections, as it is confidently storied here, I must beg leave to say, it is a proof to me that there are differences amongst you which I most heartily regreate. I wish to God they would remember, that a House divided against itself cannot stand.

Please give my service to all friends; lett [me] know when the Parliat is to meet, and believe me to be yours,

Castle Grant, 4th March 1715. JO. FORBES.

Give my service to Capt Monro, and mynd him to write to me as he promised.

The Brigadier's return and myne were sent Express, Monday last, to Mr Stewart, to be forwarded. Inquier about them that they be not neglected.

No. XLVIII.

No. XLVIII.

The same to the same.

Dear Brother,

I DELIVER'D your Letter to the Marquis of Lothian, and made his Lordship the best compliment I could for the favour done you; and ane apologie, by way of Ly, as you desyred, for your Letters not haveing come sooner to hand; all which his Lop. received most graciously.

In my last, I have answer'd the material pairt of yours anent my niece Marie. You put it now on the foot of obedience to me: You very weel know I never was a match-maker; and as I desyre not the half mark, so I mean not to have the * * * * * * *. When Foy[rs] made that proposall to me, I thought it reasonable; because if his circumstances are such as he represented them, she might live like a Gentlewoman, and this I suppose her father & you are satisfied in ere now. But, whatever my Opinion be in the matter, I will not impose it on any, much less on Marie; nor doe I desire that she should in the least cross her inclinations under a pretence of pure obedience to me; and this much I told her att parting. Therfore if you her father and oy[r] friends does not think Foy[rs] a suitable match, and if she has no inclination to it, it is an easie matter to put it off; for I never proposed it on any other terms, than that it should be with the good lykeing of the parties concern'd; so that there need be no compliment of pure obedience to me in the matter, nor can her marrieing or not marrieing Foy[rs] in the least alter my affection from her. So I leave it intyrely to her to chouse a husband for herself. If, on the oy[r] hand, she will marry Foy[rs], I think it needless to postpone matters. The terms I wrote you in my last. I am to give Five thousand marks, payable year and day after marriage; and if you doe not think fifty pounds sterline of Annuity a sufficient return, take what more you think fit, and the man can spaire: For the oy[r] Clauses, Lett them be in Comon Forme. Thus you have my mynd fully of that matter, so you and oy[r] friends may doe in it as you think most proper. I need not trouble you with my private affairs, because I have wrote a long Letter to Ahnagarn, which he will show you.

As for your Hyland neighbours, ther trysts and meetings, I know not what to say. I wish we be not too secure. I can assure you, the Tories here were never hyer in their looks or hopes, which they found upon a speedie Invasion: Whatever be in the matter, lett things be so order'd, that my House be not surprysed.

M[r] Walpole has been very ill, and recovers but slolie; and I'm told we will not have the reporte of the secrete Committee before us till he be in condition to come to the House. But I am also told, that the maladministration of the late Ministerie is so clearly proven, that they cannot escape. Mind me to my mother and my Wyffe, and to Marie.

I am yours

London, 30th Apryle 1715. JO. FORBES.

M[r] Baillie gets the prints weekly.

No. XLIX.

To the Hon[ble] My Ladie Collodin yo[r] at Collodin.

Madam,

YOU can'nt be a Stranger to the Circumstances I have put myself in at the tyme, and the great need I have of my own Men & followers wherever they may be found. Wherfor

Wherfor I thought fitt, seeing Collodin is not at home, by this line to intreat you to put no stopp in the way of these Men that are & have been my followers upon your Ground.

Madam, your compliance in this will very much Oblige,

Your most humble Servant,

14th Sept. 1715. L. MACKINTOSHE.

Madam,

P. S. If what I demand will not be granted, I hope I'll be excused to be in my duty.

No. L.

The Laird of Culloden to his Lady.

London, 3d Septr 1715.

BY what is wrote me, my dear lyffe, from you and my oy^{r} friends, it seemes your fears are over; but hear they incress more and more. We have now three Expresses, confirming that the Hylanders are actually incampt within ten or twelve myles of Perth. My Lord Marr is said to be the prinll man, and that a great many noblemen and gentlemen have joyned him. I wonder wery much how this can be without Killravock's knowledge, and that he has given me no accoumpt of it. Hu——ly, S—f—th, Lord D—d, M. of T——b—din, are particularly said to be ther. I intreat you let me know what there is in this thing as farr as you possibly can. I belive I shall stay till the Parliat is up. Sir Will. Gordon has got a place of five hundred pounds a year. Ther is no other news but what you have in the prints. I hope yow'll take all possible care of yourself and your houſe. Mynd me to my mother; and belive me, My Lyffe, ever yours,

JO. FORBES.

No. LI.

Provost & Council of Inverness, to Hugh Rose, John Forbes, & Mr. Duncan Forbes. Dated Inverness, the 7th Nov. 1715.

Right Hoñble,

AFTER so great experience of your friendship, we crave leave to tell you, we Judge it strange you have been prevail'd with to entertain so harsh impressions of us, Wee cannot doubt some malicious persons might have industriously spread very false reports of us; but at the same time are much concernd, to find a sett of worthie persons, who (wee think) are well affected to this place, induced to believe them without further proofs of their Credulity. When we have examined our conduct with all the care wee could, we find nothing in it may merite the charge you have laid against us; and not being able to conceive how such a sudden change hath fallen upon your inclinations towards us, we cannot but acknowledge we are very much surprised and concerned at it. And tho' by this means our confidence in you appears to be disappointed in great meaſure, we flatter and assure ourſelves, ye will, upon second thoughts, judge it convenient to wave the threatened severities, and treat us, not as enemies, but as friends. And for your conviction of our innocence we atteſt both our Inhabitants and the adjacent Country, that we have done nothing in the matter we are charged with, but what we have been constrained and overpowered to doe. Your Letters being directed to the Magiſtrats, Councill, and Community, hindred we could not give you this return sooner; but when yoor

proposall was publicly concerted, all of us agree in one voice, that it is not in our power (being disarmed of a while bygone, and our Ammunition taken from us, and thereby incapacitate to use any hostilities) to thrust out a party of armed Men, who can at pleasure not only destroy us, but reduce the place to ashes. All that know it can testify it is not fortified, and so must be a paved road to all parties requiring passage, otherwise we have not been wanting (as far as lay in us) to secure it against the attempts of all rebellious Invaders; but seeing it is not so, we still behoov'd to yield to the greater force. If the Goverment shall evacuate the party that now lodges in it, we shall be well satisfied, and give all the proofs in our power of our true zeal and affection to His Majesty and Goverment; which, we humbly think, is all can be reasonably demand of,

Right Hoñible,
Your most humble Servants the Magistrats, Councill & Community of the Burgh of Inverness.
Signed, at their Command, be their Clerk,
CH: M'LEANE.

To
The Hoñible Hugh Rose of Kilravock, John Forbes of Culloden, & Mr Duncan Forbes, Advocat, Deputie Lieutenants of the Shire of Inverness.

Inverness, 7th Novr 1715.

No. LII.

The Duke of Argyll to Culloden, Aberdeen, Febry. 17th, 1715-6.

S^r,

I TAKE this occasion to return you my most hearty thanks for the zeal you have express'd, & the service you have done his Majesty & your Country. Your friendship to me is of an old date; & as I am very sensible of it, I am no less concerned that I have not been able to make you ye acknowledgments I should, & fain would. I believe you will every day hear more & more of the pains that is taken by some Gentlemen to magnify Lord Sutherland's great conduct & greater services. I have a great honour for my Lord; & did I think it was only design'd to serve him, I should be very well satisfied; but I plainly perceive, it is much more with intent to lessen the honest Gentlemen of the North, whos zeal and expence has produced those services, which it would seem My Lord is projected to have the merit and reward of. I thought it my duty to let you know this, that my friends may fall on some method to doe themselves justice by bringing the truth to light; that they may not be slighted, nor great Men be imposed on by fals representations. Pray give my service to all our friends, & doe me the justice to believe

Your most faithfull
Humble Servant
ARGYLL.

No. LIII.

Lord Lovat to Mr. Duncan Forbes.

My Dear General,

I SEND you ye inclos'd letter from ye name of M^c^Leod, which I hope you will make good use of; for it's most certain, I keep'd ye M^c^Leods at home, which was considerable Service done ye Government. Y^e^ Earle went off from Culodin to Cromarty last night; & tho' he got a kind letter from Marlbrugh, congratulating him on his glorious actions, yet he was oblig'd to own to General Wightman, y^t^ his Ldp would have got nothing done in ye north without my d^r^ general and me. I wish he may do us ye same justice at Court: if not, I am sure if I live I will inform ye King in Person of all y^ts^ pass'd here since ye Rebellion. Y^e^ Earle's cretures openly speak of ye D. of Argyl's being recalld. I could not bear it. You know my too great vivacity on y^t^ head. I was really sick w^t^ it, & could not sleep well since. I expect impatiently a letter from you to determinat my going to London, or my stay here, where I am very well w^t^ General Wightman; but always very much mortified to see myself ye Servant of all, w^t^out a post or Character. I go tomorrow to Castle Grant, to take leave of my dear Alister Dow. Y^r^ Brother is to follow, & go w^t^ Alister to London this week. I find ye Duke was gone before you could be at London. I hope, my d^r^ General, you will take a start to London, to serve his Grace, and do something for your poor old Corporal; and if you suffer Glengarry, Frazerdale, or ye Chisolme, to be pardon'd, I will never carry a musquet any more under your Command, tho' I should be oblidg'd to go to Affrick. However, you know how obedient I am to my General's Orders. You forgot to give ye order, signed by you & ye other deputs, to meddle w^t^ Frazerdales estate for ye King's Service. I entreat you send it me; for * * * * * * is afraid to meddle w^t^out authority. Adieu, mon aimable General; vous savez que je vous aime tendrement; et que je suis mille fois plus à vous qu'à moymeme, pour la vie.

Inverness, ye 5 of March 1716. LOVAT.

No. LIV.

Two Letters from Mr Duncan Forbes to the Lord Advocate, dated from Edinburgh, 20th March 1716.

My Lord,

BY the first Letter which I did myself the Honour to write to you from this place, I acquainted your Lordship, that I had carried three addresses from our Countrey; which, missing of the Duke, for whom they were designed, I intended to keep until Brigadier Grant came hither, who I judged a proper person to present them. But a certain incident, which lately happened, obliges me to give your Lordship the trouble of taking care of one of them, herewith inclosed.

It is not, I presume, unknown to your Lordship, that tho' the Magistrats of Inverness had lately, for certain reasons, favoured the Duke's interest; yet, at the bottom, some of these very Men have had inclinations with relation to Politicks not at all to be approved of. The last election was under the influence of the Rebells: they manifestly, tho' cunningly enough, abetted their Cause; and have given, as I understand, very good grounds to annull their Election; whereby we may have a handle to settle the Magistracy upon men equally friends to your Lordship's family and to the Constitution. This I write, that your Lordship may not be unwarily engaged in that matter.

The

The Magistrats of whom I speak, willing to make some interest for themselves, have lately, as I'm told, modelled an address, wherein they are very civil to the Duke, upon the plan which I setled in that Country; and from this, presented by some of His Grace's friends, they hope to obtain his protection; but as your Lordship may depend upon what I here set forth to be true, I hope you will take care that that matter go not too far. The address herewith inclosed is from the Whigs of our town, whom I modelled into a Regiment of Militia. If your Lordship will encourage it, and make Mr Stewart, or any else whom your Lordship thinks fit, present it, it will be very obligeing; and I believe I can promise, if the Magistracy were once settled in their hands, that I could manage that incorporation for the King's service whatever way your Lordship should direct, for whose family they have a sincere good will.

I hope your Lordship will believe, that in the narrow sphere wherein I act I leave nothing unsaid or undone that I think can be for your service.

I am

Your Lordships

Mind Lovat. Most faithfull humble Servant.

My Lord,

YESTERDAY I was qualified, the Lord knows how, as your Depute. The Justice Clerk shows a grim sort of civility towards me, because he finds me plaguy stubborn. I waited upon him, however, and on the other Lords, to the end they might fix a diet for the tryall of the Episcopall Clergy. The Justice Clerk does not seem to smile on their prosecution, because it is not his own contrivance; and declared it could not come on sooner than the first of June; alledging for a reason, that the Circuits would not allow time for the tryall; but I told him, that if, as I understood was designed, the May Circuit were suspended for this year by act of Parliament, I would require His Lordship to assign a dyet sooner. This I acquaint your Lordship, that I may have your directions about it.

The Address from the Burrows, which I formerly mentioned, was carried yesterday, without the addition in favours of Cadogan, Sutherland, or Justice Clerk. Willy * * * was the Man who protested, very slily, that if they proceeded to make compliments to inferior persons, such as Cadogan, Sutherland, &c. he might be allowed to bring in a clause in favours of the Grey nags.

Cadogan is this day gone by Stirling and Perth for Badenoch. He purposes with a Detachment of 2,000 foot, and 500 Dragoons, to disarm the Highlands; but, unluckily, that great man is like to have small honour by it; for already the Camerons have given up theirs at Inverlochy; and it is not doubted, that the Commons over all the Highlands will do the same, upon the grace that is to be given them.

Lord William Johnston spoke to me about one Roswal, or Oswald, prisoner in the Canongate tolbooth: he said your Lordship promised to give me directions about him; if you have any Commands relating to him, or to any thing else, lay them on me; for my part I'm resolv'd, postage being frank, to let you know if there is or is not any thing new in this Country thrice a week. I am,

My Lord,

Your Lordship's Most Obedient humble Servant.

No. LV.

No. LV.

Mr Robt Baillie [to Culloden.]

Sir,

I HAVE yours of the 12th Instant before me; and have, in Obedience to it, begun this post; to be continued weekly, while in health, suppose the trifle I write of be not worth a farthing, let be a groat; but yours hither will be reckoned of value, not only by your General, Corporal, Colonel, and all your Captains, but Chaplains—yea, will reckon it a very great compliment to have two or three lines from your Servant every week, if not from yourself.

Upon 13th Huntley was carried hence toward Aberdeen, under a Guard of 20 Dragoons; and Rollock, Sir Th: Calder, and Tannochy, upon the 20th, under a Guard, also went off.

Gen. Wightman, with a Detachment of 400 foot and 50 Horse, attended by your Corporal with 100 of his Men, and the Laird of Kilraick made an Expedition into Ross upon the 15th Instant, and lodged in and about Brahan that night; next day marched to Coul and Scalwel; thence to Castle Leod, Tulloch, and Dingwal, Kilcowy, Chanery, and Cromerty. The foot returned Sabbath the 18th, and the Generall upon Munday the 19th, attended by the Horse, and your Corporal, who discovered himself a pretty fellow, not only in taking Inch Coulter and E. Cromerty Prisoners,—(tho', because of His Lady's sickness, the last was allowed, under a Guard, to stay at home; their Crime is said to be, aiding and assisting of Rebells)—but also in chasing and taking some 8 or 10 of Sr John of Coul his Men, who, when the General was upon the Banks of the River Conon, appeared in a body upon the brow of an hill on the other side: wherewith, some in the Detachment crying out, "the Enemy!" your Corporal's Men took the Alarm; in fives, foorded the River to the Arm Pits; which made some of the Forraigners cry out, "what, must we all go that way to be drownd!" within a little were content that they were not commanded to follow them. However, the Generall and his Dragoons got through, and followed Strae and Lovat about the distance of a furlong behind; your Corporals foot did breast the hill, and, like fleet hounds after the Game, gained ground of the prey till they apprehended and disarmed the forsaid number, who, upon examination, declared that they were informed, that they were either to be shot or cut to pieces if they should be found in their houses; and therefore, to save their lives, had fled for protection to the hills; which being considered, and that the common people might not be hindered or affrighted from surrendering themselves, they were all allowed to go home.

You will mind the address I talked of with you, because Meeting approacheth.

An Address to his Majesty by our Magistrates is sent off to Commissary Stuart, to be presented by Secretary Stuart, as is talked; in which they pretend to commend the D. A. but I can assure you it is a blunt one, &c.; and, considering every thing, I would not wish my friend to present it.—Yesterday I was at Bonchrew, where friends are very well.

I am, Sir,

Your most Obedient and faithfull Servant,

Inv. 23^d March 1716. RO: BAILLIE.

10 o'Clock at night. Just now I am charmed with Musick from Baillie Barber, where they say there is a Ball, but it wants confirmation; but next post you may hear the certainty.

No. LVI.

The Earl of Ilay to Lord Lovat.

My Lord,

I SHOULD sooner have done myself this honour, but that I waited till I could answer that pairt of your leter about your coming to London. I was apprehensive, that in case your Lordship cam befor you hade a direct leave, some of your & my Enemies might have been readie to pass censurs upon it; as they never miss to do, when they have ane opportunitie, whither right or wrong. I spoke to my Lord Townsend to-day; and he told me your Lp̃ might come when you pleased: all the Court, I find, are very weell disposed to take care of you, & to find out such a reward as I forsaw you would, & now they are all convinced you doe, deserve: Our Enemies have of late been very busie; but its very possible that ther plotts may turn upon themselves. I assure you, there is no instance of success I should be fonder of, than an opportunitie of doeing you Service.

I am, My Lord, Your Lordships
London, March 27th 1716. most Obedient & most humble Serᵗ
ILAY.

No. LVII.

Mr Robert Baillie [to Culloden.]

Numb. 2.

Much Honoured Sir,

I CONGRATULATE you upon the Royal favour which smiles upon your friends; Long may it continue.

Yours of 22ᵈ is before me; and I humbly thank you for the reprimand given so justly; the person concerned is resolved to mend that fault. I suppose now you expect the confirmation promised in my last; which being a matter of importance, I shall tell you the truth, that the Commander's Landlady inclines mightily to have home her banished, and was pleased with the fidling a few springs, and the dancing of two [or] three Girls, till about twelve, to entertain him; to see if that would put him in a good humour.

3 Ships arrived Wednesday wᵗ Powder, Cannons, Mortars, Bombs, Bullets, Granadoes, Carriages, Bisket, Flour, Salt, &c. to provide the Army in Badenoch, where they encamp 3ᵈ April. The Dutch and Swiss march hence thither Munday. Some Companies of Grant's Regimᵗ are marched to Ross, to relieve the Garrisons of the Forraigners, who go for the Camp at Ruthven.

General Wightman, or W——kman, hath taken six Coach horses, with Coach and Shaes, of Seafort — the Coach is sent on board one of the Ships forsaid.

Stores of Corn and Strae are laid up in abundance in our Magazine in the Maggot; and all the Souldiers are in a mighty hurry, preparing for the expedition to Ruthven.

Fish and Provisions come in plentifully for the ready Money.

Our Synod meets shortly. In the address, cast in a word of Lovat also. If I can, I'll endeavour to make it pass; I hope to see it from you shortly.

Some say here, that it would have been better service to have taken the Guns and swords from the Rebells than Seafort's Coach; but G. W——kman is fond of the Bonny Coach and fine horses.

Our

Our old M—g—s—ts are apprehensive, but fail not to use all means w^t General Wightman to fortifie themselves; think upon our liberation from Bondage, and get in such Men whom the K. and all honest men may truſt.

I humbly conceive our Comm—— in Chiefe should not comfort them who are suspected of Jacobitism; far less such as are apparently so.

Never was there greater oppression in billetting of Souldiers: the poor Whiggs are squeez'd, and Rebells spared.

Jameson is like to make a hand with some of our Officers to be reponed to his Meeting House; in which case the Seeds of Jacobitism shall still be nursed among us.

Now I suppose you are wearied in reading the incoherent Paragraphs above written; but I would not weary to talk with you all night.

My next shall be superscribed number 3^d as this numb 2^d; and you need expect no other superscription from,

Much honoured & Dear Sir,

Inv: 30th March 1716. Yours in sincerity,

RO. BAILLIE.

No. LVIII.

Sir David Dalrymple to Mr Duncan Forbes.

Dear Duncan,

I THANK you for your kind correspondence, and am to acknowledge noe fewer than four of your Letters. I am not surprized with the marks of good nature & temper that a certain Judge showes towards me every day. Indeed, I am surprized that a Man of that temper should find Patrons any where. I hope that he has fewer than he imagines; but I will allwayes speak with great reserve in matters which depend on great Men. Mr Stanhope told me to-day, at Court, that he does not remember of any order sent to Mr Cockburn, or his father, to take care of the Warrants of Councill for the election of ye Burrowes; but I shall know more particularly the state of that matter before next post.

By a conversation I had this day at Court, I begin to think we shall have no Recruits this year; but I shall be soon certaine in what will be expected in that also.

There is not yet, for what I know, any resolution taken about the Prisoners; only a Petition has been promoted among them to pray for being transported; which, if it save y^r lives & fortunes, I believe will go very well down w^h the younger sort, but will go heavily down with those of greater age, or such as have familys or young Children. They have intimat^n within these few days to prepare for y^r tryalls speedily, — they expect y^r Indictments on Saturday — I don't yet hear that any Commission of Oyer & terminer is exped.

The report, that the Triennial Act is to be changed into a Septenniall, of which no doubt you have heard, is the great subject of discourse in City & in Country, where it is argued with great heat & animosity. To be sure, a project that lessens the sweet opportunitys of eating & drinking heartily, & deprives hot headed Clergy Men of exciteing the people warmly once every three year, will not be very generallie gratefull; & there will not be wanting People who for popularity will encourage such sentiments; the matter itself is of moment, & not w^hout difficulty. It had been better from the beginning a Septenniall act; but it may be dangerous at this tyme to deprive ye people & the Clergy of a beloved Act. This is certain, that these frequent concussions about Elections have encreased our divisions, and the giddie & unsettled temper that appears among

among us; it has exhausted the Estates of Nobility & Gentry in many Places, & weakens ye reputation of our alliancies with foreigners. If this thing comes to be debated in ye two houses, I believe ye Arguments will be urged on both sides with great eagerness & freedom; which would be very entertaining, if a Man could be indifferent in such cases.

The large steps which France makes for clearing off her Debts, her doubtfull conduct towards this Court, the weight of a Turkish Warr upon the Emperour, the progress which ye Swedes make in Norway, with some other circumstances, afford abundance of matter of speculation to the Politicians; but we have reason to depend upon the goodness of Almighty God, which has not only supported us since the Revolution, but has brought every thing to such Points, as we could not doubt that our safetie proceeded from that watchful Providence.

Mr. Walpole cannot be said to be out of danger; but his Phisitians have better hopes of him to day & yesterday, than they had for some days before. You may be sure that the doubtfull state of his health does very much affect all that wish well to the King and his Government. I thank you for the care of Ouchterlony; I hope in a post or two to write something further about him. I don't believe that he's just as clean as white paper; but by all that I have ever heard, he is not charged with any Crime that is not bailable, & would not be thought so in any body that I were less concern'd in. In a word, I believe he is not a Sinner above all that dwelt at Jerusalem; nor are his persecutors the most disinterested in the service of the Government, civil or ecclesiastical. I han't yet seen Colloden; but he and I will mund your honor in a glass deep proportioned to your length, & sprightly as your wisdom. I am, dear Duncan,

Your

Apr. 3^d^ 1716. DAVID DALRYMPLE.

No. LIX.

Mr. Hossack to Mr. Duncan Forbes.

Sir,

I HAVE yours of the 27th past; which is the most I have to say in the performance of this officious duty, besides to cover the inclosed.

You'l possibly have heard, that Mr. Wm Fraser, Fraserdale's Chamberlain, came here when Lord Lovat was in the Country, w^t^ two stollen passes from Athol & the Commissary Gen^ll^ at Blair, to desire a pass from Gen^ll^ Wightman; upon these that he might go to the Highlands, to buy Cows for Cadogan's Army; but Wightman refused it till Lovat was returned; & then, understanding that Lovat had procured Orders for appr.hending him, he withdrew; next day, by proxies, he gave some information about Fraserdale's Plate; and Lord Lovat as he was going to Ruthven demanded it of Provost Clerk; but he positively refused him, and I believe there happened some hott words. Afterwards Lovat, in his passion, dropt something of it to Wightman; who, when Lovat was gone, by arreast and threatenings of prison, procured the plate from the Provost. I don't know yet what Cadogan may do in it, but Wightman did not make the Prize for Lovat.

General Cadogan came here last night; his little army was encamped this day, about noon, at Borlum. There goes hence Detachments of the Fuzileers, Brigadier Grant's Dutch and Swisse to the number of 1000; and it's s^d^ they are to march into the Highlands Monday next.

Many

Many of us are indeed now sensible of your absence, Sir; for we have none to apply to for the redress of our Grievances; but we'll be sufficiently redrest, if you do what we believe is in your power for us; and if you faile, you'l certainly be discontented with yourself for it afterwards; & pray speak the word for a Post Master to Fochabers. I am,

Sir,

Your most humble Servant, while I am

Inverness, 6 Aprile 1716. JOHN HOSSACK.

No. LX.

Mr. Rob[t] Baillie to Mr. Duncan Forbes.

Much honoured,

AS the Army passed through Badenoch, an uncivil return was given to a Message from the General, by M[c] Donald of Gellaway upon Lochspei in Lagan; whereupon a Detachment of 200 men was sent to that Country, who burnt his house & Corns, & killed all his Sheep, and carried off all his Cows. Wednesday the Army marched from Badenoch towards the head of Straithspei, & yesternight Incamped at Moy; & this night are to Incamp about Borlum. Yesternight, at 6 in the Evening, General Cadogan arrived here, under the discharge of the great Guns from our Castle. This day Mr. Stuart & I waited upon His Excellency, being introduced by My Lord Lovat. I hear that tomorrow or Munday the troops in this town will march to the Camp at Borlum. I am informed that Glengary keeps his house at Innergary; but how long he will do so I know not. I need not write the history of Fraserdale his Silver Plate, since you may have that account from other hands; only I am pretty well informed, that it is not above 150 Pounds in value: also I may observe, that G—— W——n keeps well what he takes. The Gentlemen in Lochiel's Countrey have submitted to the Garrison; but the Laird with a few men is gone to the Hills. I hope shortly you shall hear of the Settlement of this Countrey; of which per next, I am,

Much honoured & Dear Sir,

Your most Obed[t] & most humble Serv[t]

Inv: 6 Ap. 1716. RO. BAILLIE.

Our Presbytrie have appointed two Commissioners to the General Assembly, of which you are one; and it is humbly intreated you may not despise the Office of their ruling Elder in that Court.

All the honest Officers who are come along with Cadogan seem surprized that the Lewtennants did not turn out the Jacobite Magistrats; seeing they were chosen when the town was in the hands of the Rebels, whom they aided and comforted.

No. LXI.

Mr. John Forbes to Mr. Duncan Forbes.

Dear Brother,

YOU are pleased to blaime me for the hurrie I was in at pairting. If you consider what hand John Kennedie and you had in that affaire, I perswade myself you'll think it somewhat out of the Road, first to tempt, and then accuse.

In my last, I told you that I had Kist the King and Princes their hands; I have since been with the Prince in Private, and att his desyre given him a true accoumpt of what

past

past in the North; with which he was very weell satisfied, and seems to have a very just sense of what was done for his Service there; and he seems to understand matters so weell now, that in a very litle tyme its thought the Squad will have but litle to say.

I have spoke to the Duke and to Ilay. They both desyre you may continue to write to them; and Ilay told me, he was to write you to that purpose last post; but whether he has or not, fail not to write. The Duke told me a Storie last night, That the Justice Clerk had represented you as a Jacobite, and not fitt to serve as Advocate Deputt, and desyring to have you alter'd. Pray lett me know what ther is of this; the Duke takes a great concern in you, and went himself to Sir David Dalrymple, who told the Duke, if any such thing were attempted, he would lay down before they should have ther Will.

I have delivered Sir William St Quintine's Letter; you may be sure ther shall be nothing wanting on my pairt to serve Mr. Mc Pharline. I beg you may make my humble duty acceptable to him and his Lady.

All our news comes from you. By the Publick prints you'll find a great many thousands gott togither; for no oy^{r} reason but that Cadoggan may subdue them.

It is certain, that the trienniall Act will be made septenniall.

The Court gives a great many reasons for it, and the tories as many against it. Your Perriwig shall be sent how soon I can. As for my Memorandum anent my affairs, I have not as yett had tyme to think of any; only it were proper to lay down a Plan, how to have our Ingadgements for the Public reliev'd; and likewise that you should direct me how to steate my private loss and expences.

I am yours;

London 7th Appryle 1716. JQ. FORBES.

No. LXII.

Lord Lovat to Mr. Duncan Forbes.

My d^{r} General,

I WOULD certainly quarel any man alive, but my General, on what you tell me about ye Lly of Invernesse; for I take God to witness, I never thought or design'd it; & I rejected it when others proposed it to me: so you are very unjust to your Corporal on y^{t} head.

I send you a double of my Ld Islay's Letter. Gen. Cadogan this day, after his geting ane account of Glengary's, Lochiel's, & * * * * * *'s surender, gave me leave to go for London, & told me he would serve me if occasion offer'd: so, d^{r} General, Wedsday next I design to go off for Ed^{r}: so about ye 22^{d} I hope to embrace my General. Gen. Wightman, contrary to Gen. Cadogan's desire and his own promise, keeps ungenerously ye half of ye plate from me, but I will not quarel with him for it. I give him money for it, and he is to be forthcoming for it, according to the King's order. Give my humble duty to Provost Campbell, & tell him the contents of Islay's letter, & y^{t} I hope to be soon w^{t} him. I am pressd w^{t} the post; & I am for ever,

My d^{r} General, your own

Inverness, ye 7 of Apryle 1716. LOVAT.

The Baron, your father in law, told me a story y^t^ makes Glengary ye greatest knave on earth to ye Duke of Argyll.

I was likewise surprised y^t^ Col^l^ Ross told the Baron before me, y^t^ Baillie Robertson told him, y^t^ you did diminish ye Baron's services. I could not but turn passionat before the Baron himself, to vindicat my d^r^ General. I told Col^l^ Ross, y^t^ whoever told that, they were lyars, & y^t^ my General was incapable of y^t^; he was full of honor & valeur, & had no need to diminish any man to rise himself. I am to examin y^t^ Busines to-day, for I will loose my life rather than suffer my General to be reflected on.

I beg you may send ye inclosd to my Ld Ilay. Y^e^ Baron talks of going to London w^t^ me. I canot be ready to go before Saturday.

I intreat you, acquaint y^r^ Brother & Brig. Grant of my going off for London, & y^t^ I hope they will stop all y^t^ is endeavoured to be done for Fraserdale till I come. I intreat you take care of ye inclosd: their is one for my Ld Townshend; to let him know y^t^ I am going conform to his order for London. I beg you may tell the Postmaster to stop my Letters at Ed^r^.

No. LXIII.

Lord Lovat to Mr. John Forbes.

My d^r^ Colloden,

IF I could be angry w^t^ you, I would for [not] writing to me since you went to London, having promised you would not be too days ther when I would here from you, to let me know if I should go for London. But my Ld Ilay having writ to me that my Ld Townshend allowed me to go, & Mr Cadogan having told me y^t^ he had no more service for me, or for my men, I am this far on my journey w^t^ ye old Baron of Killräck; & we go off this Evening, but can't be at London before ye first week of May, none of us being fit for posting. I was glad to find my General in good health, & I must own ther are not many in the world I love so much; he has given me my instructions at large, & I am resolved to walk by them, & make you my rule. I long extreamly, my d^r^ John, to imbrace you, and assure you, de vive voix, y^t^ I am, w^t^ a tender affection and regard,

My d^r^ Colloden,

Your affectionat Friend,

& most Obedient and Most

humble Servant, while

Ed^r^ ye 9th of Apryle 1716. LOVAT.

I intreat you order y^r^ Servant to give the inclosed to y^r^ Cusing Sandie Fraser.

No. LXIV.

Mr Hossack to Mr Duncan Forbes.

Sir,

I SAW Yours by yesterday's post to Mr Baillie. This goes under Covert by the Aberdeen's post: if it is at Edin^r^ before Glengarrie, it will inform you that he came here last night, waited of Gen^ll^ Cadogan, & gave him his Sword. This morning he's

gone off for Edin^{r}; it's said upon his parole, without a guard. We hear nothing of Seafort, but that Cadogan has allow'd his people till Saturday the 14th to bring in their Arms. Our little Army is to decamp, the horse tomorrow, and the rest speedily, towards the South. Cadogan goes off tomorrow for Inverlochy, and returns hither. There was a detachment sent to the house of Innergerry some dayes agoe.

S^{r}, when you settle the runners to Aberdeen w^{t} the Gen^{ll} Postm^{r}, please to mind the Post M^{r} of Fochabers; for my brother-in-law, that's Minister of the Parish, & the most steadfast friend of the Government in it, is maltreated by the present Postmaster, as well as others; and that part of the Country is otherwise neglected yet, and the Rebells there continue their little insults. Last Night bro^{t} a Letter from Colloden: the Lady yor mother & all friends are in health; and I am, with the same inclinations,

Sir,

Your most humble serv^{t},

Invernes, 10 April 1716. JOHN HOSSACK.

Yesterday & this day Glengarrie's people were to give up their Arms to the adjacent garrisons.

I hear, Gen^{ll} Cadogan has made Lovat a present of his half of Frazerdale's plate, & that he has compounded for the other half w^{t} Wightman; but there's only a small part of it come to hand yet.

No. LXV.

Mr Duncan Forbes to his Brother Mr John Forbes. Dated from Edinburgh, the 16th April 1716.

Dear Brother,

THE bearer hereof, my Lady Revelrigg, will inform you of the circumstances of her son; who, by the rashness of youth, and the force of bad example, was led into that misfortune with many of his countrymen, for which he is now a prisoner at London.

I need not employ many words in recommending to you the case of the unfortunate: I will only acquaint you, that in doing what service is in your power to this young Gentleman, you will do a very obligeing thing to me, and a very kind thing to his Mother, for whom I have most justly a very great respect.

To say more to you would look like doubting of the interest I have with you; and less I cannot say, in respect to the earnestness with which I recommend this Lady to your services and assistance. I hope Sir David Dalrymple, to whom I have written, will do what he can.

Yours,

DUN. FORBES.

No. LXVI.

No. LXVI.

Mr. Robert Baillie to ———

Much Honoured,

GENERAL Cadogan returned from Fort William upon the 15th. He sailed down the Loch in about 3 hours, having a brisk fair wind. There are good Garrisons in Glengarry and Lochiel's houses. A detachment also is sent to the Isle of Sky of about 600 Men; and now we hear that Sir Donald's brethren have surrendered, but cannot tell what is become of himself: it is judged, that the Ship which arriv'd in some of the Creeks of that Island with Arms and Money, as was talked, hath carried off the Noblemen and Gentlemen that were there, and amongst the rest Sir Donald is carried off.

The Detachment to Brahan is not returned, I heard on Fryday they were to pierce a little further into the Country. A great many Highland but no good guns are delivered to the Garrison; so that, after all, the giving up of Arms seems to be against the grain, and but sham work: it is hoped the parliament will do its pairt.

General Cadogan went to Culloden on Wednesday last, which place he commends very much. Our Magistrates used all means with Wightman to engage the General to accept of an entertainment; to which, after much importunity, he consented. Upon Thursday last it was given in Baillie Scot's, or John Stuart's rather. At Night there was Musick and some dancing, wt sweet-meats in Wightman's. Mistris Barber invited the Young Lasses, but some with me were so stubborn as not to go.

General Wightman is much displeased wt Colonel Dunbar, and told me that he had been Ill Imployed in aspersing him unjustly, as if he favoured Jacobites and oppressed the King's friends, and desired me to intimate so much to him. The Colonel would give him no satisfaction about that matter, unless he knew his grounds; but alledged, that he never spoke or wrote any thing of him but truth.

Our Camp at Borlum is now broken up, & the Troops are all marched.

Upon Tuesday the General sets out for Forres, and the Swiss and Dutch shortly after are all to march from this Garrison toward the South.

3 Ingeniers, Night and Day allmost, are at Work in measuring the Castle and Ground about it, the Sconce and Ground about it, the Town on both sides the water, and all the Streets, and they are very busy with their draughts: they talk of a Canal to Fort William; but that is no easy matter *.

Our Squad meets on Tuesday at Forres, where I must attend. I apprehend it will be the 30th of April before I go from this place.

I am now in such a haste lest the Post go off, that I fear I cannot write to London. If you please, this may be forwarded to Culloden. I am

Your most obsequious and
obliged Servant,
RO. BAILLIE.

Inv. 21 Ap. 1716.

* Here we have, probably, the first idea of this Canal; which was again seriously revived in 1771; and was at last begun in 1803, with the name of the Caledonian Canal.

No. LXVII.

Lord Lovat to Mr. Robt Baillie.

Dr Sir,

I HOPE yt this Letter will find you at My General's Lodgings in a day or two, & in perfect health after your journey. My General will be as glad to see you, as I was sory to part wt him. I wish you could convince him to go to London. I am sure it would be for the interest of all those whom you wish well. Mr Primrose promises me to endeavour to soften ye cruel disposition of Justice Clark towards me. I do not desire nor court any favour from him; but I would wish yt he would not indeavour by new calumnyes or foolish inventions to hinder the King's favour to me; but I hope its above his power & contrivance; & at the bottom I laugh as much at my Enemys as my dr General does at his being called a Jacobite; their storys of me being as fals as yt of him. I intreat I may hear from you under Culoden's cover. When it is tyme, I will intreat of you & my General to put ye transactions of ye North in a truer light than ye Pamphelet did yt was published Monday last. I give my most humble service to your worthy Lady, & I am wt all ye gratitude imaginable, & with great respect,

Dr Sir,

Inglekirk, ye 25th of Apryle 1716.

Your most obedient & most humble Servant,
LOVAT.

No. LXVIII.

Mr. Hossack to Mr. Duncan Forbes.

Sir,

I ACKNOWLEDGE the receipt of your favors of the 19th; they will be at all times equally acceptable, even tho', Sir, its sd here you are reckoned a Jacobite at Court; but I hope it's by none but those Whiggs who are Enemys to the D— of Argyle; and that the Jacobites shall find it otherwayes. Tho' you have discorded wt the Justice Clerk upon the trifling Lybell in the Porteous Rolls agst our Magistrates, I believe you're not intirely in their interest.

It would be an iniquity not to tell you that Ld L—t, by some of his zealous friends here, is reckon'd a Papist; that they have made discoveries of it or he went away; that he sent a Priest to this town to administer the Sacrament to his Brother on his sick Bed; and that, since, he has got extream unction. I cannot assert these, neither will you, Sr, make a bad use of what I write; but I hope, Sr, you'l take some caution by it. Coll Dunbar is affronted that he has not seen his Regiment's address in print. The Dutch & Swisse, its sd, go from hence on Munday & Tuesday. I hope, Sr, you'l reckon that Mr. Baillie is gone before you can write him: he goes off Munday.

I am, Sir,

Inverness, 27 Aprill 1716, in the morning.

Your most humble Servt,
JOHN HOSSACK.

No. LXIX.

Mr. John Forbes to Mr. Duncan Forbes.

Dear Brother,

I AM glad to find that oyrs are as lasie as I. All the news I have to trouble you with is (1mo), that Brigadier M'Intosh and six more made thr escape out of Newgate last

last night. 2°. That att the Prince's desyre Brigadier Grant gave him, at my sight, this day the two Memorials you wrote of what was done in the North. I believe the Prince desyres to compaire them with the accoumpt printed by Coll[l] Grant, which makes so great a noyse here that E. Sutherland, as I am told, is making a reply to it. I wonder much you doe not send me the accoumpts of the Money was raised for, and laid out on, the publick accoumpt by us at Inverness. I wish also that you would think of the proper way of steating my particular expenses, from the first tyme my Wyffe was besidged, till the forces came to Inverness. I give my humble duty to Mr. M[c]Pharline and his Lady: you may assure them I shall keep M[r] Drummond in mynd, nor shall any thing be wanting on my pairt to serve them.

JO. FORBES.

London, 5th May 1716.

No. LXX.

The Duke of Argyll to Mr. Duncan Forbes.

My dear Duncan, London, May the 24th, 1716.

I HAVE from so many hands learnt the new Obligations I have to you, that I must not, in justice to my self, delay confessing them to you. They are the greater & more generous, that I never deserved them of you; and I hope the same good opinion of me that promted you to them will perswade you that I shall never omitt any occasion of making you the returns that an honest man should doe, How fate will dispose of me I know not; but I believe my enemys have very little reason to believe that they are to get the better. I have been betrayed before now by the same knaves that have done me the favor now; but they may, if they please, call to mind that they did not goe unpunished; & what has been may be. One thing my friends may depend on, That fate itself cannot make me like my Enemys; by which 'tis plain I shall ever be

Your faithfull Servant,

ARGYLL.

No. LXXI.

M[r] John Forbes to his Brother Mr. Duncan Forbes, dated London, 31st May 1716.

Dear Brother,

M[r] Dalrimple came here last night, and told me he had a Packett for me; but I have not yet gott it. By my last you'll find that there's nothing to be gott at this tyme, on any accompt whatsoever. Divisions run high att Court; and all our people who make any opposition to the Bill of Forfaulters are ill lookt on by the Court; of which number your humble Serv[t] is one. This day it [was] carried that the Commissioners to execute the powers in the said Bill should be Members of the House. The Justice Clerk, as I am told, declares himself Lovat's enemie. The Duke of Marlbrough was two days agoe suddenly taken very ill with a palsie, but is now said to be in a fair way of recovery. No news; all friends are well.

J. FORBES.

B. Grant mynds you most kindly. By this you may see that I write for writing's sake.

No. LXXII.

No. LXXII.

———— to Mr. Duncan Forbes.

My dear Forbes, London, 2d June 1716.

I HAD nothing from you last post; which makes me fancy you, My Lord, & Nimmo, are employing yourselves about getting the papers I want. The Commissioners of the forfeitures are to have £1000. pr Annum each: of 13, 7 to reside here, & 6 in Scotland; the balloting is to be on Tuesday next.

The Duke of Marlborough is a little better; he can speak 5 or 6 words together att a time; his mouth stands less awry; and they don't dispair of the continuance of his life. When his tongue is capable to send out his thoughts in words, we'll know if the palsie has impaired his judgment *.

The squad have given it out with a good deal of assurance, some days past, that the D. of R. is S——y of State—we don't believe one word of it on good grounds. They are pushing the prosecuting of our honest Nonjurants at such a rate, that my Patron told me this Morning, it will not be in his power to prevent it after the 20th Nor next: to this day he'l get the time prolonged; but he says they may depend on it he will not have strength enough to support them after that time, so violently are they pushed at: he told me this under a very deep concern for the melancholy consequences he fears it will be attended with.

While I am writing I have yours of the 26th. You are wrong: I said no more then "I think Forbes deserves thanks." "Yes, I'll tell him I think so," said he. "Farewell." It is of infinite importance to have these declarations.

No. LXXIII.

———— to Mr. Duncan Forbes.

My dear Forbes,

BECAUSE you wrote to me last post, & neither My Lord nor Nimmo, I have given my Lord the melancholy part of the Dispatches of the night, which upon my word grieves me extreamly—it is an unlucky affair as can be in the world—and have reserved the reverse for you.

The account I sent you on Saturday was fact; yet on Munday the ——— began to look up, & carryed it so here, that I fancy you had news by the last post that they had got the better. T——d, S——pe, & W——, told their Master, if the D— of A—le was pusht at & shockt, they understood it was pushing at them directly, & were positive that in this event they'd all lay down; whereupon his Majesty this day gave the Squad a positive answer, that he would do nothing to shock the Duke of Argyle, & would make no Secretary for Scotland att this time; which I reckon they are not a litle displeased att.

Lond. 14th June 1716. Farewell.

* Johnson's lines on this great man were too true:

"In life's last scenes what prodigies surprize,
"Fears of the brave, and follies of the wise.
"From Marlborough's eyes the tears of dotage flow."

No. LXXIV.

Lord Lovat to Mr. Duncan Forbes.

My dearest General,

I GOT both your Letters, & I follow y^r advice closs. I had a privat audience of K. George this day; and I can tell you, dr General, yt no Man ever spoke freer langage to his Majesty & ye Prince than I did of our two great frnds, in leting y^m know y^t they did y^m more service & were capable to do y^m more service than all those of yr Ranks in Scotland: & yt is true. I hope what I said will be usefull; & let it have what effect it will as to me, I am overjoyd to have occasion to serve ye two pretiest fellows in Europe. They still behave to me like kind brothers; & I spok to y^m both of my mariage, they aprove of it mightily, & my Ld I. or the D. is to make ye proposition to the King; so y^t I belive it will do, w^t y^t agrement, y^t my two great frnds wish and desire it. I want but a Gift of ye Escheat to make me easy. But if it does not do, you must find some pretence or other y^t will give me a title to keep possession, either by y^t taillie my Ld Provost has, or by buying off some Creditors: in short, you must make a man of it one way or other. I have got out my Commissions, after much oposition. I belive they thought shame of the Affidavits, or they keep them till I am gone; since they know I can speak the French as well as they. I long extreamly to see you. Y^r Brother is angry at many things, as well as I; and neither his post nor mine satisfyes our minds when we see matters go wrong. Adieu, cher General!

Je suis à vous pour la vie,

London ye 23^d of June 1716. LOVAT.

The two green ribands and Glengary's remission make many murmur and bite their thumbs. However, better days will come. My love and respect to my Ld Provost. All will go well at the long runn.

No. LXXV.

The same to the same.

My dear General, London ye 28 of June 1716.

I THINK it is an age since I had the honour to hear from you. Your Brother & Brig. Grant being very angry, & justly, at the List Sir Wm Gordon & his Brother sent down about the Magistrates of Inverness, your Brother caused draw up a second Petition, where he added Brig. Grant, Killrack, & you; & I took upon me the manadgement of y^t afair, & by my aquantance w^t Mr Southwell & Mr Hailes, ye two principal Clarks of ye Cabinet Council, I got ye thing done as I would have it in four & twenty hours; & Mr Pringle says he sent you the order on Teusday night by post; so y^t we get something rectifyed in spight of their private intrigues. Our friends gain ground every day; & I hope that what I said to the King, in my private audience Saturday last, did a litle contribut to make him belive y^t the two Brothers are necessary persons to him. It would be too long to tell you all I said; but, in a word, my General could not speak w^t more force in favours of ye two Brothers. I told but truth when I said y^t their father was ye founder of ye protestant Succession in Scotland; & y^t they were y^mselves ye support of it, & the only capable to be so: in short, dear Generall, I told my mind as freely as I would have done to you. The King is one of the best

men

men on earth; but strangly imposed upon by certain persons. I hope it will not be allways so.—The King has been graciously pleased to grant me, this very day, a Gift of Fraserdale's Escheat; & Mr Stanhope told me, yt I was so well in His Majesty's spirit, yt all my Enemys are not able to do me harm.

I spoke to the Duke & my Ld Ilay about my marriage, & told ym yt one of my greatest motifs to yt design was, to secure ym ye joint interest of ye north. They are both fully for it, & the Duke is to speak of it & propose it to the King. But Islay desir'd me to writ to you, to know if their would be any fear of a poursuit of adherance from ye other person; which is a chimerical busines, & tender fear for me in my dear Islay.—But when I told him that the Lady denyed, before the Justice Court, yt I had any thing to do with her, & yt ye pretended mariage was declared nul (which Islay sayes should be done by ye Commissarys only); yet, when I told him yt ye Minister & Witnesses were all dead who were at the pretended Mariage, he was satisfyed they could make nothing of it, tho' they would endeavour it. However, I intreat you write to me, or to Mr Stewart, a line on this head, to satisfy my Ld Islay's Scruple.—This is a very long letter; yet I have not said ye half of what I have to say to you. I'll begin a new epistle on Saturday.—My service to my Dr Lord Provost, & to Mr McPharlan & his Lady.—I hope you will consider the taillie ye Provost gave you of mine, & what can be done in yt busines of my natural right. Adieu.

I am yours eternally,

LOVAT.

I have my two Commissions in my Pocket; and the Prince told me last night he was glad they were expedēd.

No. LXXVI.

Mr. Baillie to Mr. Duncan Forbes.

Much honoured & dear Sir,

I HAVE very little to say, save that the Account you sent of that tragical adventure of Mr. Gordon and Cathcart's seems to be the most exact and ingenuous of any that came to this Countrey; only I cannot call them censorious or malicious People whom you are pleased to name so, seeing they tell nothing but truth.

McNeal, &c. is in his integrity at liberty, notwithstanding the storys you might hear.

Glengary writes to his People with a great dale of Majesty &. Spirit; forbidding them, under pain of his displeasure, to contribute in the least to the accommodation of the Garrison at Innergary; alledging, if they be oblidged to give plaids to Ly in, it is contrary to Capitulation with Cadogan.

I hope to hear of your coming north; for we are still afraid something or other shall be mismanaged if you come not.

I have no news to tell you; only I am informed, that my Colleague hath displeased the Jacobites at the late thanksgiving, in asserting that God, in his Providence, brought K. G. to the throne without a dog to bark at him; only of late some Jacobite Currs have made a great noise, and continue to snarle when they neither can nor dare bite.

I am, Dear Sir,
Yours faithfully,

Inverness, 30 June 1716. RO. BAILLIE.

No. LXXVII.

Memorial concerning Lord Lovat; and Grant to him of Mackenzie of Fraserdale's Escheat.

ALEXANDER Mc Kenzie, of Fraserdale, by takeing advantage of the misfortunes of my Lord Lovat, found means to become master of several old rights and titles to the estate formerly enjoy'd by that family; &, by being in possession of the said Estate at the time of the late unnatural Rebellion, did furnish the Rebell Army with a Regiment, consisting of persons of the name of Fraser, related to, or dependant on, the said family; till my Lord Lovat, by his appearing in Arms for his Majesty in the North of Scotland, had soe great ane influence over the name of Fraser, that they publicly, with their Arms, withdrew themselves from the late Earle of Marr & the said Alexander Mackenzie, join'd My Lord Lovat, & assisted him when he, with the Men under his Command, did take the town of Inverness.

By an Act of Parliament passed last Year, for encouraging Superiors, Vassals, Landlords and Tenants, all suspected persons, who should remain in contempt after being summoned to appear, as is by that Act prescribed, are declared to incurr the penalty of £500., & single and Liferent Escheat; that is, ye forfeiting all their Goods and Chattells, and the Rents and Profits of their Estates dureing their Lives.

Judgment haveing been pronounced, in pursuance of this Act, against the said Alexander Mackenzie, of Fraserdale,—His Goods and Chattells, and the Profits of his Estate, dureing his Life, are thereby vested in his Majesty.

His Majesty may grant to any Person, as is usual by the Law of Scotland, A Gift of the £500. penalty, and single & Liferent Escheat of the said Alex^r^ Mackenzie, by a proper Warrant from the Thesaury; which will operate thus: that if the said Alex^r^ Mackenzie shal, by any means or accident, Elude the justice of the Nation, by not being convicted of High Treason for his Rebellion, this Grant would absolutely take place against him dureing his life; and in case he shal be attainted, it will reach to his Personal Estate at ye time of ye judgment against him for his not obeying ye Summons; and ye Rents of his lands dureing his life, as far as ye same shal not be limited or Restrained by any Act of Parliament concerning forfeitures.

The Value of these Lands is generally said to be about £500 yearly, but are very much incumbred with Debts; So that it cannot yet be known what the Clear Produce may amount to; but it is conceived, y^t^ the immediate making such a Grant to a Person of Credit in that Gountry, & well afected to his Majesty, would greatly tend to strengthen ye hands of the Government; both as to Seizing any of the Rebells who yet abscond, the disarming their followers, the encouraging those who are well affected, and consequently ye confirming ye peace of that part of ye Kingdom.

It is therefor humbly proposed and intreated, that my Lord Lovat, for his Signal services in the North of Scotland, and for ye encouragement of his Kinsmen, who have soe Zealously exposed their Lives for His Majesties Service, may have a Gift or Grant of the £500 Penalty, & single & liferent Escheat of ye s^d^ Alexander M^c^Kenzie of Fraserdale; My Lord Lovat haveing a natural Right to ye Lands possessed by him when he joined in the late unnatural Rebellion.

My Lords, Whitehall, 2^d^ July 1716.

THE King having had under his consideration the enclosed Memorial of the Lord Lovat, His Ma^ty^ is graciously pleased to comply w^t^ what is desyred in it; and has

commanded me to signifie to y^r^ Lordships his pleasure, that you prepare the necessary Warrants to be laid before him for that purpose. I am, &c^a^

The Lords of the Treasury. JAMES STANHOPE.

To the Lords of the Treasury.

My Lords,

IN Obedience to y^r^ Lordships Commands, signified to me by Mr Lounds in a letter of this day's date, I have considered a Memorial therein inclosed, concerning my Lord Lovat; and am humbly of Oppinion, that the desyre of the said Memorial, contains nothing contrary to Law; and y^t^ if his Ma^ty^ is graciously pleased to grant the same, it may be done by a Warrant for passing a Gift in the Exchequ^r^ of Scotland, in the ordinary form, of the single and Liferent Escheat of Alexander Mackenzie, of Fraserdale, mentioned in the said Memorial; and alsoe of the sum of five hundred pounds sterline, therein mentioned; being att his Maj^tys^ dissposall, by vertue of ane act passed in the last Session of this current Parliament, intituled ane Act for encouraging all Superiours, Vassalls, Landlords, and Tenants in Scotland, &c.

This, w^t^ great submission, is the Oppinion of,

My Lords,

Y^r^ Lop^s^ most faithfull, most

Obedient, and most humble Servant,

Westm^r^ July the 5th, 1716. DAVID DALRYMPLE.

No. LXXVIII.

Mr. Duncan Forbes—[most likely to Lord Islay.]

My Lord,

I HAVE since my Lord Advocate's leaving this Country officiated for him, faithfully I hope; and by this Night's Post, I have a kind of Intimation made me, as if there were some design of appointing me one of his Deputys for the ensuing Prosecutions; but as I am an utter stranger to the English forms of procedure, and for severall other reasons which your Lordship will easily apprehend, I am determined to refuse that employment; nor can any motive whatsoever induce me to accept that place, as things now stand, unless your Lordship commands me. Your Opinion on this subject I expect either directly, or by communicationg it to my brother.

My strength is small, but it is exerted at hazard to serve you as I can best judge. Since, probably, George Drummond is not with you, I shall take the Liberty of writing frequently. No news. I'me pleased to see how universall the surprise is since last post.

I am, my Lord,

Your Lordship's most faithfull, most devoted Servant,

Ed^r^, 7 July 1716.

No. LXXIX.

Mr. Duncan Forbes to Lieut. Col. Innes.

Sir,

HIS Royall Highness haveing been informed, that severall persons detained prisoners in Scotland, who were actually in Arms in the late Rebellion, have endeavoured to obtain Warrants for dischargeing them of their imprisonment, on account of some Informalities in the Orders for their Committment, has therfor commanded His Majesty's Advocate forthwith to enquire into the State of the Committments of the several Prisoners now in Custody for Accession to the late Rebellion; and to endeavour to

 procure

procure all possible Information concerning such Prisoners as actually were in Arms against his Majesty; to the end they may be charged with legall Warrands of Committment. Therefor, In pursuance of his Royall Highnesses directions, I desire you to make up an exact List of all Prisoners seized and committed by you, or detained in Custody at Winton House, or elsewhere, by the Forces under your command, for their accession to the late Rebellion: Which List is to contain the names, designations, and places of abode, of the several Prisoners, togather with Copies of the Warrands for their Committment; and where such Warrand of Committment appears defective, not mentioning the particular Crime for which the Prisoner was apprehended, I desire you will inform yourself whether the Prisoner was taken in Arms against His Majesty, or haveing been in arms did surrender himself to mercy, or was seized by the troops; and to subjoin such Information to the several Prisoners' names; To the end that formal Warrands of Committment may be made out against them, and that furder discoveries may be made of the means of proving their Guilt.

The Prisoners are assiduous in their applications for their liberation, in the terms of the Act of Parliament anent personall liberty; [so] that you will easily be perswaded dispatch is necessary in delivering the Lists and Informations desired. I am,

Your most humble Servant,

Eden^{r} July 18, 1716. DUN. FORBES.

Lieutenant Colonell Innes.

No. LXXX.

The Duke of Argyle to Coll. William Grant.

My dear Grant,

I TROUBLE you w^{t} this, to let you know, that, some time since, I learnt that Lord Lovat had proposed a match w^{t} Grant's Sister, q̃ch for many reasons I wished so weell to, as to interest myself w^{t} Grant, in favours of it. You know Lord Lovat is oñ for whom I have, w^{t} good reason, the greatest esteem and respect; and as I confid inteirly in him & the Brigadier, I am must earnest that this match should take efect. I am informed y^{t} the young leadie is at present w^{t} you, and y^{t} som oỹr bodie is making court to her. I must ỹrfor, as a faithfull friend to us all, intreat your intrest to bring this matter about, q̃ch will I think unit all freinds in the North; a union q̃ch will be very serviceable to His Majestie and His Royal Famyly; and nò less to all of ûs, who have ventured our lives and fortunes in defence of it. Pray believe me, in q̃ever stat I am,

Your faithful humble Ser^{t}

(Sic subscribitur)

Richmond, July 23^{d} 1716. ARGYLL.

No. LXXXI.

——————— to Mr Duncan Forbes.

My dear Forbes, Ed^{r} 28th August 1716.

WE have been considering of the properest method of managing the Puny highland Banditti, & have come to this Resolution:

You must so contrive it, as to get, one way or another, into his Company before you return, by paying him a visit at his house, if you have not a better opportunity. It will be an easy matter to bring on the discourse of our friend, & to insist on his honor, merit, and generosity. And you are by what means you think fit to lead him into

the thought of his regard for you, & your interest with him; this well managed, together with the man's anxiety to have our friend's claims against him discharged, will naturally lead him to join with you in his praises, to express his regard for him, and his inclination to be well with him. When you have brought him to enter on this subject, you must artfully perswade him of your inclinations to serve him in this matter, and that you'll contribute your endeavours to the bringing it about. Your way of talking in this manner must lead him to express his passion in the strongest terms; when he needs say no more on that subject. You are then to tell him,—but there is a story talked, as if he had either already done something to give rise to it, or was yet to be made use of, to asperse the conduct of our friend's friends, when he was in their neighbourhood in ye country. In talking of this, you are to express it in some such manner as this,—that tho' you believe this is an idle story, that tho' it was true it's in its nature such as what our friend is absolutely indifferent of, as what can in no way concern him; but that you can never perswade yourself to believe, that tho' there was just ground to blame them, as both he & you know there is none, that he, giving him what Epithets you think proper, would ever enter upon so unhandsome a measure; and that therefore your reason for talking over the story to him is not at all that you believe it, or that you have any manner of regard to the thing itself; but that the story has been spread with so much Industry, that any endeavours on your part to do him the service you propos'd must be attended with the censure of your friend's friends, if you are not able to convince them of the falshood of this aspersion. You must give him time, after you have broach'd this, before you give him your reason to contradict the story, & to express his abhorrence of any such project; and follow your reason with the giving him hopes that your endeavours with our friend may be successfull, & that you'll be very hearty in them, if he makes it reasonable for you to enter upon it, by writing you a Letter disclaiming his ever having done any thing, his ever having a design to do any thing, or his ever having ground for it; founding this his justification on the Accounts he has had from some of his friends, that such a villanous story is talk'd; concluding with his earnest entreaties to you to vindicate him at our friend's hand from so vile an aspersion. This length I fancy it's possible for you to bring him; & I am warranted to tell you it will be lookt on as good service. You'l be best able to judge when you are with him how far it's practicable to get him to be ingenuous in telling what indeavours were us'd with him to be a Rogue, upon the foot of his refusing to comply. I need not enlarge any more on this subject; I shall only tell you, the reason that induces us to turn the affair into this shape is, this method proves all we want, and silences him; whereas the prosecuting the scheme we concerted when we parted can't be managed in such a manner, but that it's morally certain the Whispers of it must reach his ear. You know he has the jealousy and villany of an Italian, without the politeness: he'll fancy that our searching after truth is with a design to ruine him, which will set his Brain at work to forge.

From this you'll see it's necessary to prosecute the getting a meeting with him as soon as you can, that there may be time for you to perfect what's next to be done, in case it does not answer the end; but even tho' it should, I am of opinion, a thorough inquiry into his life & conversation from his cradle, so as to enable you to write his History, is absolutely necessary; and in this I know I need not recommend caution to you; and in all the conversation, of all things to avoid the least expression that may induce the wretch to believe that we are in the least afraid for any thing it's possible for him, or even hell itself, to say. I am John's, my Lady's, & y^r^ Slave.

Tuesday, 2 o'Clock, in my Boots.

No. LXXXII.

No. LXXXII.

An Anonymous Letter, written by Mr Duncan Forbes to Sir Robert Walpole, most likely in August 1716—a Copy is extant (from which the present is taken) in the President's hand-writing.

Sir,

MY constant affection for my King and Country will not permit me to see the Interest of both in danger of being ruined, without a deep concern; and when I discover that the mischief proceeds from the drowsy negligence or selfish designs perhaps of some ministers, I cannot help endeavouring to obviate the misfortune by representing the Case to such as ought to profit by the admonition. What moves me to address this unsigned remonstrance to you is, that of a great while, I have looked upon Mr Walpole to be an honest man; and am still very unwilling to part with that belief, notwithstanding of very shrewd appearances to the contrary: however, I shall form my opinion in that matter, as I find this notice is used.

You need give yourself no trouble in endeavouring to find me out; the attempt will be impossible; only, lest you should mistake me, from some of the sentiments after expressed, I think it necessary to tell you that I am, and ever was, a very zealous friend to the present settlement, which alone prompts me to give you this intimation; and that during the late confusions I exposed myself as usefully for His Majesty's service, as any of those on whom the King, ill informed, has bestowed the most distinguishing marks of his favour. This declaration, since I am unknown, does not hurt modesty; and yet will appear to be true, if there is a proper occasion for it. I have but one thing more to acquaint you with, before I enter on the subject; and that is, that it will not be in your power to suppress this representation. My respect to the King will hinder me from publishing it; but I will convey it into hands that will take care of it: if you do not perceive, you will guess at my meaning, and act as you will be answerable.

The People of Great Britain are but too well distinguished by the known designations of Whig and Tory; of which the Whigs, to a man, are affectionate to his Majesty; and the Tories, on the other hand, bating a very few, madly addicted to the Pretender.

As his Majesty has prudently chosen to settle the administration in the hands of his friends the Whigs, it is unquestionably his interest to keep that part of the nation satisfied with the Public management; and at the same time to take as few steps, which may sharpen the resentment of the disaffected part of the people, as the security of the Government will possibly admit of. Britain receives still another distinction from the two different kingdoms whereof it is composed; and tho' it is undoubtedly his Majesty's interest to cherish England, as being the most valuable part of his dominions, it is by no means prudent to disoblidge Scotland by open injuries, which may create general dissatisfactions, not to be ended but with the ruin of that part of the United Kingdom.

Sensible that the ministry has lately taken, and still pursues, measures unnecessarily disobliging to the King's friends, exasperating the disaffected, and in a particular manner ruinous to Scotland, I cannot help offering this representation; in which, as I am a Scotsman, and best acquainted with the affairs of that country, I shall chiefly touch its grievances; resolved to assert no fact, and to give the character of no person, that I will not answer at the *peril* of my head, if by clearing it I may do my King and Country service.—When the late Rebellion was happily ended by the Pretender's flight,

flight, his deluded followers found themselves all in chains, or obliged to surrender and sue for mercy, or to fly their country with him. Every man concerned in that odious work certainly deserved Death, and the punishment due by Law; but Humanity and prudence forbade it. It was not fit to dispeople a country; nor prudent to grieve the King's best friends, who mostly had some concern in those unfortunate men; or expedient to give too just grounds of clamour to the disaffected.

It will be agreed on all hands, that the proper Rule in this case would have been, to have punished only as many as was necessary for terror, and for weakening the strength of the Rebels for the future; and to extend mercy to as many as it could conveniently be indulged to with the security of the Government; and this maxim every thinking Whig had then in his mouth, however offended at the insolences of the Rebels. In place of a course of this kind, the method followed was, 1st, To try all the Criminals in England; 2dly, To detain in prison all those in custody in Scotland, except some who had interest with certain great men to obtain a previous pardon, to the manifest dishonour of the Government; 3dly, To attaint a vast number of Scots Noblemen and Gentlemen; 4thly, To put it out of his Majesty's power to grant any part of Estates forfeited; and 5thly, To appoint a Commission for enquiry, and levying the Rebels goods and chattels. The necessary consequences of this procedure in general are two; first, it makes all those who had the misfortune to be seduced into the Rebellion, with their children, relatives, and such as depend on them, forever desperate; and it's hard to tell what occasions may offer for venting their Rage. We see that want and hard circumstances lead men daily into follies, without any other temptation; but when those circumstances are brought on by adherence to any principle, or opinion, it's certain the sufferers will not quit their attempts to better their condition, but with their lives. 2d, As there are none of the Rebels who have not friends among the King's faithful subjects, it is not easy to guess how far a severity of this kind, unnecessarily pushed, may alienate the affections even of those from the Government. But in particular, as this case relates to Scotland, the difficulty will be insurmountable. I may venture to say, there are not 200 Gentlemen in the whole Kingdom who are not very nearly related to some one or other of the Rebels. Is it possible that a man can see his daughter, his grandchildren, his nephews, or cousins, reduced to beggary and starving unnecessarily by a Government, without thinking very ill of it; and where this is the case of a whole nation, I tremble to think what dissatisfactions it will produce against a settlement so necessary for the happiness of Britain.

If all the Rebels, with their Wives, Children, and immediate dependants, could be at once rooted out of the Earth, the shock would be astonishing; but time would commit it to oblivion, and the danger would be less to the Constitution, than when thousands of innocents, punished with misery and Want for the offences of their friends, are suffered to wander about the Country, sighing out their Complaints to Heaven, and drawing at once the compassion and moving the indignation of every human creature.

Zealots and short-sighted people may perhaps think it just, that a nation so involved with Rebels should suffer; but let those men consider, that it was much more owing to Providence, and to the vigilence of our King, than to the inclinations of the people, that England did not discover as many Rebels even, in proportion to its extent, as Scotland did; and then let them examine how far their reflection will hold.

I should spend too much time, and repeat what you, no doubt, Sir, have heard often urged in Parliament, did I enter upon the improprieties and inconveniencies of the Forfeiture Bill, as it affects Creditors; therefore I shall pass over that article, and satisfy myself with assuring you, that those consequences, which at first might easily have

have been foreseen, have now accordingly fallen out; and that in this Kingdom there are not an hundred persons who can be restrained from murmuring, upon any other consideration, than that they hope his Majesty, against the ensuing sessions of Parliament, will overturn that fatal Bill.

It's pity the ministers, in a point so important, should not be at some pains to find out what impression this step makes on the people. A faithful informer must Report, that the King's friends in Scotland begin to fear that the Nation is devoted to destruction; and that the most forward Abettors of the Conduct of the Government are forced to lay the blame on some particular persons, and to promise that the measure will speedily be altered, as the only possible means to preserve the hearts of his Majesty's loyal Subjects dutiful to him. In short, Sir, this course will very soon make a standing army necessary; the King's enemies say, that is the design of the ministry; and it's certain his friends will believe it, unless things take another turn.

If this forfeiting Bill was gone into, when the danger was over, from any other view than that of crushing this poor Country, it must have been with the hopes of levying money for the Public Service; and if it appear (as by and by it will) to a demonstration, that it can have no such effect, 'tis hoped, with reason, that the King and Parliament will either take it away, or not blame the people who construe the contrivance of it into a design to ruin the Nation.

To satisfy any person that the forfeitures in Scotland will scarce defray the Charges of the Commission, if the saving Clause in favours of the Creditors take place, I offer but two considerations, that upon enquiry will be found incontestable. First, it is certain, that of all the Gentlemen who launched into the late Rebellion, the tenth man was not easy in his circumstances; and if you abate a Dozen of Gentlemen, the remainder, upon paying their debts, could not produce much money clear; nor was there any thing more open to observation, than that the men of estates, however disaffected in their principles, keeped themselves within the Law; when at the same time men supposed loyal, in hopes of bettering their low fortunes, broke loose.

2dly. Its known, that the titles by which almost all the estates in Scotland are possessed are diligences upon debts affecting those estates purchased in the Proprietor's own name, or in that of some trustee; now it's certain, that when the Commissioners of Enquiry begin to seize such estates, besides the debts truly due to real Creditors, such a number of latent debts will be trumped up, not distinguishable from the true ones by any else than the Proprietor, as will make the enquiry fruitless, and the Commission a Charge upon the Treasury, as well as a nuisance to the nation.

By what is above said (which, upon ane examination you will find to be certain truth) it will be evident, that the forfeited estates are in themselves inconsiderable; and that they are good for little or nothing to any others except the owners: wherefore it will be to the last degree imprudent, for the sake of such a trifle, or rather for the sake of creating a revenue to the Commissioners of Enquiry, to stir up a disaffection in the nation; which may God and the Wisdom of our K. soon prevent.

But, allowing that this Bill should bring in 10 or £20,000 per annum clear, will any reasonable man imagine that that profit is to be put in ballance with the certain loss of the Affections of the people; especially when that event will bring on £100,000 Charge for maintaining an Army to keep the Nation orderly.

As I see with concern the terrible effects of the forfeiting bill, I am far from thinking that the Rebels should goe unpunished; but then that punishment ought to proceed according to the Rule above set down; that is, no farther than is necessary for the Security of the Government, and for the terror of others who might attempt the like

like afterwards. Pursuant to this Rule, an easy and certain method might be fallen upon; for example ——

1st Let the most leading, the most powerful, and the most malicious of the Rebels, be pitched upon; let them be executed if in Custody; if not, their estates forfeited forever. These men, in both nations, might possibly not exceed the number of 20 or thereby.

2dly Let an Indemnity, by Act of Parliament, be published to all (excepting such as his Majesty shall think fit) who shall surrender against a certain day, and at a certain place, and there to have their names recorded.

3dly Let those persons be only entitled to pardon and to their estates, upon their finding bail, 1. for their good behaviour; 2. That they shall meddle in no public business, elections, &c. 3. That they shall present themselves once or oftener a year at Edinburgh, or where his Majesty shall think fit, there to answer to any Charge that can be made against them; and 4. That they shall neither wear arms, nor converse one with the other, nor go without their respective Counties without licence, under several Penalties.

These or such like securities might be devised, whereby the Government would be absolutely safe, and the minds of all men sweetened; whileas, at the same time, by the execution of the most remarkable Criminals all the ends of Punishment would be fulfilled. And if some such measure is not pursued, it is with the last degree of regret I tell you, that the Pretender will gain many more friends by the punishment of the Rebels, than he will lose by their overthrow.

After representing this important false step, I next proceed to take notice of another; which, tho' of less prejudice to the K. creates a very general disrespect to his ministry; and that is, that in a Season when matters of the greatest weight are on the Wheel, this Country should be entirely neglected, and the management of it committed to a set of men hated or despised by almost all the King's friends.

You cannot be ignorant, that the set of men known here by the name of Squadroné have in a very particular manner been of many years odious to the people, on account of their selfish adherence to one another, in opposition to every interest but their own; and you may easily persuade yourself, that they have recommended themselves very little by their mean assentation to what has so sensibly injured their Country; especially as their interest at the bottom is very inconsiderable, extending little farther than the individual confederates. These men are become in a more particular manner the derision of the King's friends; since it is found out, that they, who never did or durst attempt a laudable thing for his Service whilst danger threatened the Constitution, have now had hardiness enough to arrogate the merit of every useful action to themselves, and to aim at blackening the Reputation of the King's General, by whose conduct and authority alone, we are all satisfied, the torrent of the Rebellion could possibly have been stopped.

It is no small cause of discontent, to such as served the King faithfully in this Nation, to find, that a Ministry can be so designing, or so far imposed on, as to quit with the Duke of Argyle; worthy in himself, but chiefly valuable for his steady adherence to his Majesty; moved by a parcel of fictions, contrived and abetted by certain politicians, who are become a proverb in their Country.

Nobody here can forget the fictitious scheme contrived by Genl Cadogan in the beginning of February last; by which he persuaded the Court that it was then possible to pursue the Rebels into their hills, and obtained orders for that purpose, of design to have detained the D. of Argyle about that affair. No one can forget, that the same General,

General, having found means to delay his expedition till April, undertook it then, without a possibility of Success: and every one still has it fresh in his memory, that this man, having fatigued the troops, and spent a great deal of money, was necessitated, by a treaty dishonourable to the Government, to save his own shame in making articles with a puny highland Chief, G————; inconsiderable in every other respect, than as he was a malicious Rebel, and famous for obtaining Conditions of the British General, which afterwards were ratified by a formal Remission; and the King's friends will long remember, that this pardoned Rebel was lately, in this town, a very forward man of Council with the Squadroné in all their meetings.

This instance of the Court being imposed on, by the knot of men now mentioned, to grant a remission to the worthlessest rogue living, is no small mortification to the lovers of the Constitution; and it receives a good deal of addition from what is at present a doing; viz. a distinction, that every prisoner who was taken in Action, or surrendered himself to the King's mercy, in the hands of the D. of Argyle, is ordered to be transported to England to be tried; whereas those who surrendered to any of the Party aforesaid are almost all left at home; and if any one goes alongst with the rest, it is of design that he may escape for want of evidence; as in the case of M'Kenzie of Fraserdale, in whose behalf the D. of Athol, to whom he surrendered, undertakes to prove, that he was forced into the Rebellion, tho' he actually marched at the head of 500 men to Perth.

It is scarce supposible, that a ministry could do a thing more lawless or more injudicious than to commit the Care of Public management, at a time so critical as this is, to men so much the derision, and at the same time so much the aversion, of their Country, as those to whom that Charge is committed in Scotland.

Now, Sir, do you judge if it is for the honour or interest of the King, or his ministry, at a time when the Nation is (I must say) in a just ferment, to entrust the Public Concern to such managers, especially when the Kingdom is yet at a loss how to account for the disgrace of that man, whom they lately accounted, under the King, their bulwark against Popery and Tyranny.

By what I have said in the onset, Sir, you may guess I will not rest satisfied singly with having transmitted this to you. I must know something of your sentiments about it. I'm resolved to wait till the 20th of September; and if in the London Gazette, before that date, I see nothing advertised concerning a letter dated and signed as this is, you may trust to it, I shall complain of it in such a manner, as you shall have no reason to be satisfied.

I am, Sir,
Your humble Servant,
Y. Z.

No. LXXXIII.

Lord Lovat to Mr. John Forbes.

My dear John,

YOUR Election has made as great a noise here as at Inverness, & made people very busy on both sides. Our great ffrds did second me w^t ye Prince & Ministry; & tho ye Earle roares, & the Knight lyes, it will be of no use. We are highly oblidged to Mr Ridpath: he has fought the quarrel manfully in spight of ye threats of the E. to take him up for Scandalum magnatum. His Flying Post & Castlehill's letter is this day before the Prince & Ministry; so they have brought their Hogs to a base market. I hope their Success at Elgin will be the same; as, if I had been at home, I

would have put Thundertown the right way. I hope Sir Henry has done his duty on this occasion. I hope to take journey ye next Week. I have been busy to get a Gift to Fraserdale's tryal, y^t^ my Gift may be secure of his life real Escheat, which will make me Master of ye Estate of my fathers, if he'll live but a few years by the help of my dr General, who is now very melancholly, as well as you. I was surpris'd when Mr Strahan told your ffrd Mrs. Purvis y^t^ he had a letter from you, telling y^t^ y^r^ mother is dead, & yet Castlehill says nothing of it in his of the 15th. I sincerely partake w^t^ your grief; for she was one of the best of Women, allwayes doing good to her Grand Children & ye poor. I had a very great respect for her; & I allwayes found her my passionat ffrd; receive my compliment on y^t^ head for yrself & for all your family, whom I love & honor; & believe me, while I breathe,

Dr Sir,

London, ye 29 of Septre 1716.

Your most faithfull & most Obedient humble Servant,

LOVAT.

No. LXXXIV.

Lord Lovat [probably to Mr. Baillie].

Dr Sir,

I ONLY send you this to let you know y^t^ Monday morning I go for ye Bath, where I'll stay but short, & endeavour to be at Ed^r^ before ye first of Nobre. I intreat you aquant both Duncan & John Forbes, that ther Inverness busines coast trouble to me & to their other ffrds; & y^t^ I admire why John Forbes suffers himself to be calumniat by those people, by open Memorials to the Cabinet Council, w^t^out John Forbes writing to any of the Secretarys. If I had not spoke so oportunly to my Ld Chancellor & to my Ld Townshend, I belive the affaire would have gone wrong. It has keep'd ye great Brothers & me in hot water these ten dayes. I beg you send y^m^ this Letter, y^t^ they may know that I & their other ffrds are angry y^t^ John Forbes did not writ to my Ld Townshend & to Mr Walpole, who apear both his ffrds. But I beg he may do it how soon this comes to his hands, y^t^ ye ministry may know their infamous proceedings. I hope they will one day or other smart for it. Adieu.

I am most intierly Yours, &c.

ye 6 of Octobre 1716.

LOVAT.

No. LXXXV.

Lord Belhaven to Mr. Duncan Forbes.

Dr Duncan, London, Oc. 6th, 1716.

I HAVE inclos'd a letter to you from the Lord Ilay, a great part of which concerns an affair of mine. The Case in short is, that I have got a promise of the Lord Kintore's place, of Knight Marshall of Scotland; who have been in Rebellion; which place he had during his life. Now the Question is, which is the proper method to proceed, to forfeit this Office to the Crown? the Lord Ilay, and many others, are of Opinion, that he ought to be cited to attend his Office in Sixty days, according to the law of Scotland, at the Peers, and those of Leeth; and upon his not appearing, the Lords of the Session ought in law to declare his Office forfeted to the Crown; but I refer you to a paper I sent down to my Brother some time agoe, which is more distinct then I can write you. The Secretarie have often write to Sr James Stewart concerning this affair, but nothing have been done; so I must entreat you to concert with

with my Brother, and other Lords, which is the best and most expeditious method of doing this affair; for it concerns me to have it soon done. There is one method that will do, without all dispute; which is, the finding of Evidence of that Lord's being in Rebellion; and upon their Deposition before the Judges at Carlisle, a Bill may be found against him. If all [other] methods are ineffectual, this must be tryed, but I had much rather any other would do. Dr Duncan, you know most of your great people with you will rather obstruct than forward any thing that concerns me; so must entreat your assistance. My Brother will consult any other Lawyer with you that you think fitt. So, Dr Duncan,

Your BELHAVEN.

No. LXXXVI.

EXTRACT of an Act of Councill.

The Magistrats and Councillours of Invernes to Mr Duncan Forbes, Advocat. 1716.

ATT Invernes, the Eight day of October One thousand seven hundred and sixteen years, In presence of John Forbes of Culloden, Provost; James Thomson, James Dunbar, and William Fraser, Baillies; James Mackintosh, Dean of Gild; Thomas Alves, Thesaurer, and remanent Councillours of the said Burgh then convened: That day the Magistrats and Councill, takeing to their serious consideration how necessary it is for the Burgh to have a fitt and qualified Advocatt to act and doe for them in all maters that may concern the Burgh in Generall; And they being weell versed in, and knowing the qualifications of, Mr Duncan Forbes, Advocat: As also considering how active he was in suppressing the late Rebellion againſt his Majesty King George; Therefore they do nominat and appoynt the said Mr Duncan Forbes as their Advocat for this Burgh; To act in all publick affairs and Debates wherin the Burgh in general may be concerned. For which the saids Magistrats and Councill bind and obleidge them and their successors in place and office To pay to the said Mr Duncan Forbes, his Heirs or Aſſigneys, the sum of Twenty Merks Scots mony yearly for his said Service in Generall; and that dureing all the years he shall please continue as Advocat for this Burgh: And ordain ane Extract hereof to be given him, which will be as sufficient as if a Commission containing all clauses requisite were extended here annent. Q^ron Act Extract by me.

CH. Mc LEANE.

No. LXXXVII.

Mr Duncan Forbes to his Brother Mr John Forbes, Dated Edinburgh 26th October 1716.

Dear Brother,

MONDAY laſt I came hither, after having established the belief I had planted alongſt the Road. There are no News, but that Men expect the Parliament will be opened before the Holydays, and that the King will be over by that time.

At length we have come to the knowledge of the true lye on which the Duke was disgraced. It was told the K. that the Duke * had visited Sir Peter King privately, and told him, that as he was Ld Chief Juſtice, he muſt give his opinion that the Limitations on the Guardian were contrary to law; threatening that, if he did otherwayes, upon his Majeſty's Demise the Prince would not renew his commission.

* Argyll.

The story has had its effect, we find; but as it happens, Sir Peter now denyes every ſtep of it, and has gone to Ld Townshend and Mr Methuen to assure them the D. never visited him in his life, nor ever spoke a syllable on that subject.

DUN. FORBES.

Mind Deple. Let T. Robinson's £50. be paid, if possible, before the Term a day.

No. LXXXVIII.

Meſſrs M. & W. Drummond to the Laird of Culloden.

Sir,

YOU may be surpriz'd at our giving you the trouble of this; which, nothing less than the miserable Circumstances and necessitous Condition of our Countrymen, transported to Carlisle, could have obliged us to. For when they were carried off many of them had neither Credit nor Money to bear their charges, if they had not been supplied, in some measure, by a collection made here from charitable persons; which no profession of people made the leaſt distinction; but all concurred very frankly. But as that collection will be soon, if not already, exhauſted, so their charges will encrease by coming on of their tryalls, which now approach (the Judges being actually set out for Carlisle), which in a strange country cannot be done easily, being remote from their friends, and destitute of the means of subsistance; for many, who lived plentifully before, can receive no supply from their own Eſtates, they being sequestrate; and as little from their friends, who live at such a distance; and many of them are involved in the same misfortune, and not capable to give any assistance to them. It's therefore hoped you will take these unfortunate Gentlemen's case to your serious consideration; and to transmitt hither what you are pleased to bestow in so charitable ane occasion; and we will endeavour, as hitherto we have done, to apply it in the most equall manner we can think of for their support. We are,

Sir,

Your most humble Serv^ts^,

M. DRUMMOND.
W. DRUMMOND.

Edinburgh, Novr 6th, 1716.

No. LXXXIX.

Mr Ja^s^ Steuart to Mr Duncan Forbes.

Sir,

HIS Royal Highness being informed, that there are several persons concerned in the late Rebellion who have fled from Justice, and are either gone abroad or sculking up and down the Country: Therefore, by a Letter from my Lord Townshend of the 13th last month, His Lõp has signified to me, that it is His Royal Highness's pleasure, judging it highly necessary for his Majesty's service, that endeavours should be used to find out the names of such persons as have been concerned in the late Rebellion, and are either fled abroad or sculking up & down the Country; and also that proper Evidence be found against them: Wherefore I desire that you may, forthwith transmit to me a List of such landed men within your Shyre as were concerned in the late Rebellion, and are now gone abroad, or are sculking at home. I do not here mean, that you should only send me a List of such as you know certainly to have been in the Rebellion; but also of such as, by the common fame of the country, are said to have been engaged therein, and are known to be out of the way or sculking.

This List may soon be made up, and therefore I hope soon to have a return from you as to this particular.

You cannot but know a great many of these in your bounds, who, not being landed men, were allowed, upon their surrender of themselves & arms, to return to their own homes, and to live peaceably without disturbance.

Wherefore I am directed to let you know, that it is expected that you will call such persons before you, and examine them as to their knowledge of the persons aforementioned, their having been in arms in the Rebellion; and that you will be pleased to give me a particular List of those persons that are capable of giving Evidence against them; and that you would mark at every persone's name not only his name and surname, designation, and place of abode, but also the persons against whom he is capable of giving Evidence. And in this I hope you will be at such pains, That I may be in a condition to give such report of your diligence to Court, as is suitable to the Office you are intrusted with.

As to the List of the landed Gentlemen who have been in the Rebellion and are either fled or sculking, I desire that that may be sent up with all dispatch; seeing you need not wait the event of finding Evidence against them; That being to be done either upon your own knowledge or common fame. And as to the List of Evidence, I hope you will send it up soon as it is possible to be got ready.

I am, Sir,

Ed^r, 8th Novr 1716. Your most humble & Obed^t Servant,

JA. STEUART.

No. XC.

Mr Duncan Forbes to his Brother Mr John Forbes, Provost of Inverness, Dated Edinburgh 16th Novr 1716.

Dear Brother,

I HAVE written once to-day already: the design of this is to acquaint you, that a contribution is a-carrying on, for the relief of the Poor Prisoners at Carlisle from their necessitous condition. It is certainly Christian, and by no means disloyall, to sustain them in their indigent estate, untill they are found Guilty. The law has brought them to England to be tryed by foreign Jurys; so far it is weel. But no law can hinder a Scots man to wish that his Countrymen, not hitherto condemned, should not be a derision to Strangers, or perish for want of necessary defence or sustenance out of their own Country. Therefor, if any Contribution is carryed on for the above purpose with you, it is fit you should give it all the countenance you can, by exhortation and example. The King's best friends do not scruple it here.

I am Yours,

DUN. FORBES.

No. XCI.

Lord Lovat to Mr John Forbes.

My dearest Lord Provost, (we must give you your title since its to last but short.)

MY dear General's letter and yours are terrible; but I was long ere now prepared for all y^t could hapen me on ye illustrous Brothers' account. Ill stand by y^m to ye last; & if I fall, as I do not doubt but I will, I'll receive ye blow w^{t}out regret.—But all I can tell

you is this, y^t we are like to see a troublesome world, & my General & you will be yet useful; & I am ready to be with you till ye last drop; for I am eternally

Your own

Ferintosh, } LOVAT.
ye 27th of Deb^e 1716 }

My most humble duty to y^r Lady. God preserve you both, & destroy ye Squade.

No. XCII.

Lord Lovat to Mr Duncan Forbes.

My drest General,

'AS I take a particular share in all that touches my d^r Gen: so I am mightily griev'd at y^r sister-in-law's Condition.—I do not think y^t your d^r brother will long outlive her; for he is so overwhelm'd w^t grief, that he neither sleeps nor eats, & is very much alter'd. I do what I can to comfort him; but he gives way to his grief, in spight of what all his fds can say.

I have several calls from London. Foyers assures me y^t ye Squade have resolv'd to ruin me, du fond en comble; to break me as to my Commissions, & as to my Gift; & to sett up a Fraserdale in odium of Argyle, & of me as his partisan. Brig. Grant writs to me y^t he never will belive ye promise of a Courtier after what was said to him of ye Gift to Fraserdale. My Ld I.'s refined Politik has hindered his Brother to act for me in y^t matter, which was most inaccountable befor God & Man; since they know I would go w^h y^m tomorrow to Spain, if they bid me, & leave wife & kindred—But, my d^r Gen. I never found y^t any frd would do for me what I would for him, except my d^r Gen. who is generous & great in his Soul above all the Dukes & Earles in Brittain.—If you think fit, I intreat you writ to ye Brothers, to do for me what they can. Brig. Grant desires me to go off as soon as possible to secure Fraserdale's busines; so I do intend to go in a week or two at most. In the mean tyme, I send this express, w^t George Drummond's 140 p^d; y^t is, 132 I really owe him and 8 p^d for the time he was out of his money, that he might employ better. So being to send this express South, I call'd for Kinmiles & Castlehill, who knows ye Conveyances of this Estate better than any of this Countrey, & Kinmiles has made the inclos'd Memorial to be sent you.

I therefore most humbly beg of my d^r General to employ Sir Walter Pringle, & whom els you please, & consult together of some legal way of my keeping possession of this Estate, besides ye Gift, which I look upon as the most precarious thing on earth; & I most tell my Gen: that either I most keep violent possession, which will return me my old missfortunes, or I most abandon ye kingdoms, & a young Lady whom my fds have engadg'd me to marry. So, d^r Gen: I beg you may give me some prospect of not being again forc'd to leave ye Kingdom, or to fight against the King's forces; the one or ye other must be, if I do not find any legal pretence of possessing the Estate but by this Gift, which I now reckon as nothing. The thoughts of all this confuse my brain; soe excuse my writ & style; and believe me eternally, w^tout reserve,

The most faithfull & affectionat of all your Slaves,

LOVAT.

Beaufort,
ye 28th of Janry 1717.

I have fully reconcil'd myself to all my kindred on both sides, except Dunbalah's Brothers.—I sign this day a submission to Killrach & Cullodin for what Capt. Hugh can demand.

No. XCIII.

No. XCIII.

Mr John Forbes to Mr Duncan Forbes.

Dear Brother,

I TAKE the opportunity of Lovat's express, to tell you that my Wyffe is dead. It pleased God to call her Munday last, the 28th Instant, betwixt twelve and on o'Clock fornoon. She is to be interr'd Tuesday next, the 5th February. If my health will allow me to travell after that, my stay will not be long here, unless Parliat is either prorogued or dissolved.

JO: FORBES.

Inverness, 30th January 1717

No. XCIV.

Lord Lovat to Mr Duncan Forbes.

My dearest General,

I GOT y^r long letter; & I am affraid its omenus, when you writ long letters & I short ones. I have nothing to say as to the law part, but a blind submission to y^r will; only y^t I am sorry my adversarys have employed ye best lawiers, except my Genl: whom I look on as ye best of all. If you can secure Sir Walter Pringle, I beg you do it. According to my General's orders, I reviewd yesterday at * * * * * * * * above thirteen hunder men. Col^ll Moray did me ye honor to go himself & review y^m, & thought y^m lusty bodys of Men; but they lookd melancholly like, w^tout Arms.—I have writ to the Chancellor & Secretarys about y^m by the last Post; & to Baron Shallenburg, to say a word to ye King of my zeal. I think you should make a Paragraph about my review, & cause put it in your Currant. I do assure you, y^t it is a terrification to ye Jacobites, & y^t my staying here frights them. Yet ye Brig. writes plainly to me; even since the Plot, y^t its in my Ld Ilay's advice I should go immediately to London to save myself, since they could not publickly act for me. Y^r advice pusles me of my staying; but I will be determined by this day's post. If my fds from London continou to bid me go, Ile go imediatly; if they bid me stay Ile stay, sinc they most know there if ther is any danger so near: yet I am truly of Opinion y^t matters will not end whout much blood. What you desired to know I got notice of it precisly last night; my Cusing Clanranald did land in his own Countrey w^t a great number of arms, & sent a great packet to Glengary, who is to go to Knoydard on ye coast, to meet Clanranald, or Glendarroch, who is likewise come over. I had this from a Cusing of Glengary's, who was w^t him when he got ye Packet; so you may be assured y^t Glengary & Huntley are as much the Pretender's, & all ther Men, as any in Scotland. Adieu, mon cher General; je vous ecriray plus au long Vendredy au soir, par la post ordinaire; cecy est par un express pour porter les Rolles de ma Company. Mille respects au Prevost, a M. Drummond, et Nimbo; et me Croyer à vous, mille fois plus qu'à Moymeme,

LOVAT.

Inverness,
ye 20th of Febr^y 1717.

I have been mild to my kinsmen to excess, & I am affraid contrary to my interest; but I follow my General's orders: their all united to me as one Man, except Dunbalah's Sons, whose Conduct no man of Honor or frdship to me can justify; but I let y^m alone.

No. XCV.

No. XCV.

Mr John Forbes to Mr Duncan Forbes, London, 20th June 1717.

Dear Brother,

YOUR Friend Obryan was with me Tuesday night last, who, by the help of some good wine, made me slip that post; and to the consequence of that night's drinking you may impute my making use of a borrowed hand; for yesterday and last night I was so verie ill, that this day I was obliged to take a good quantity of blood.

For news, Lovat's gift run the Gantlet this day in the House of Commons, by reason of a resuming Clause in favours of Fraserdale's Lady, presented by Lord James Murray, and strongly supported by Cocburn, Halden, and the Squad; who in the Debat, wch lasted two hours, were pleased to belch out great many scurrilous reflections against Lovat; but all to no purpose; for the gift subsists as it did; and in a great Measure owing to Mr. Walpole, and honest Mr. Smith, who, notwithstanding ye melancholy circumstances of his Family at present, would not desert Lovat.

J. F.

No. XCVI.

Mr John Forbes to Mr Duncan Forbes, Lond. 13th July 1717.

Dear Brother,

Mr STANHOPE has this day kist the King and Prince's hands as Viscount Sussex and Lord Mohaun *. Its also storied that Mal——h has demitted all his posts in Favours of Cad[ogan], who is to be Duke of Ormond. Its true, that Mr. Poultnie was refused access to the King before he left this place; and also that Tom Earle has lost his place, as every yr body that voted against Cad. must in a few dayes. The D. of Summerset has refused to serve the Court, till first the K. and P. are reconcilat. We are to have the Act of Grace Munday next; and its talk'd, that the Parliament will not only then be up, but dissolved; and that Rox. and all the Squad. goe for Scotland to make the Elections, whilst his Majesty goes a progress through the Countrie. As to my tyme of down comeing, its uncertain, because I know not how long I may be detained in Hampshyre, where I desyne to goe next Week; But in order to my home coming, its proper you write north and find Credite for a £100. sterling, which I must draw on George Drummond for before I leave this place; since I take it for granted that our Commissos are to have no Sallarie payed them. Pray mynd me kindly to honest Timothy. Its pritty hard that neither you or I can be of any use att this juncture to the good Town. I am att present a litle on the Crab, and cannot think of writeing to any body; Therefore please forward the substance of this to honest Mr. Baillie. I am just now told, that, in order to secure Elections for the Court, Wharton is made Duke of Wharton.

I had almost Forgott to thanke you for the kyndly way off living you propose to us. I lyke it extremely weell; but I should lyke it much better if you could think of provydeing yourself with ane honest lass that would be a comfort to you, and also take care a little of me. This would determine me to keep home and with pleasure, which

* Viscount Stanhope, of Mahon in the island of Minorca. In the following year he was created Earl Stanhope.

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in any oy^r event cannot be but pritty melancholie to me when allone. And I assure you that your comeing to some speedy and solide resolution in this thing, which perhaps you may take as a Joke, is the greatest obligation you can do

Your affect. Brother,

JO. FORBES.

No. XCVII.

Provost Hossack to the Laird of Culloden.

Honble Sir,

COLONEL Montagu & some Horse, having this forenoon come in from Kilichnimman, brought a great many Letters from our Army, which goe by this Post, and will confirm that the Troops attacked the Rebells in their most advantageous post, beat them from it not without loss, and were in pursute of them next day; the Spaniards having capitulat to surrender on the Afternoon thereof. Captn Downs & 2 Lieut^s of Montag^e are killed; Capt^ns Moor & Heighington, of Clayton's, wounded; as is Cullairn on the thigh, & the bone safe. It's said, Seafort is wounded in the Shulder, and Gordon in the Legg. This is what occurs for news now. I am,

Honble Sir,

Yo^r most faithful Servt

Inverness, 13th June 1719. JOHN HOSSACK.

*** This was the battle of Glensheal, fought on the 10th of June.

No. XCVIII.

Lord Belhaven to Mr Duncan Forbes, London, March 18th, 1721.

Dr Duncan,

THE Lord Straffoord desired me this day to write to some Lawer of my acquaintance in Scotland, and inclose this bit of Paper concerning on Hamilton, who, he's inform'd, is now in Scotland. If you can find out that he is there, he would gladly employ you in the recovery of his monie; so should be glade you would employ some body to find out whether such a man is there, or not; and be so good as to let me know as soon as possible.

For news, we are here in the outmost miserie, haveing had nothing before our eies but a theme of Calamity; the people in rage, fury, and povertie, without doors; and carrying on their particular views and interests within; without any regard to the publick good. You have, no doubt, heard of the Lord Sunderland's being acquitted by three score and on Votes: the Secret Committee were next to have proceeded against owld Craggs; but he bit them, having, as it's believed, taken a large doze of laudenum, of which he died Yesterday Morning. As for Politicks, I am not much vers'd in them, nor are they at present much worth minding; but this I may say, in generall, that if we be not all blown up together, I'm of Opinion our friends here never had a fairer prospect than they now have. I long to see * * * * * return'd a member of Parliament.—Pray give my humble Service to George Drummond, Mr. Brent, and all other friends.

I am, Dr Duncan,

Yours,

BELHAVEN.

No. XCIX.

No. XCIX.

Mr Duncan Forbes [probably to the Duke of Argyll.]

My Lord,

THE choice your Grace has been pleased to make of me to represent your Borrows * I take to be a very uncommon mark of your favour.

That you have agreed I should not attend when my Business tyes me necessarly to this place, I look upon as a proof of your sincere friendſhip for me; and that, in this particular, your Grace has considered my interest more than your own.

During the whole course of my past life till this moment, I never wiſhed for riches. But now, when I perceive that my narrow Circumstances will not, without a manifest Indiscretion (which your Grace would readily blame), permit me to fling aside all regards, and to follow you wherever your service requires, I begin to wiſh I had an Estate.

My fears, and a more familiar acquaintance I have with myself than any body else has, tell me that I shall not answer the expectations your Grace may have of my service in Parliament. However, since I am thoroughly satisfied that the same friendship which moved you to entertain those expectations will incline you to make allowances for my failours, I submit to your Grace's Resolutions.

I hope your Grace will not believe I think the less of the honour you have done me, that I assure you it neither has augmented, nor cannot, the affection with which I formerly was Your Grace's

most faithful Servant,

Edinr 18th July 1721. D: F.

No. C.

Lord Lovat to the Laird of Culloden.

My dear Lord Provôst,

IT'S needless to me to give you ane account of the attack yt those impudent villains make on you; since Tom. Rob, W. B. & Jo. Hosak, will give you a full account of it. It's a fine design, & very proper for King George's Officers of State, to offer to the Tory Jacobits of Inverness to restore them to their old Magistracy, if they will concur with them to turn out the Whigs who have been so zealous for King George. I want to know mightily what pension ye D. of R——— has from the Pretender for serving his friends so faithfully. I am sure he gets more than ever I did for my services in 1703. I must say, that you are all good natured, yt can every day see those Raſkals w'out telling them they are so. But if the E. & Knight come to Inverness, they will certainly be drum'd out of town, & followed by all the dogs, fisherwifes, whores, & boys of the town; as the Peer would have been in 1715 if I had not protected him. I intend to go to Inverness, & show at least my zeal to serve you. Adieu. I am eternally John Forbes of Colodin's faithfull Slave,

LOVAT.

My service to Sir Rob. Gordon, & the Laird of Brodie. My Wife gives you her kind service.

Beaufort, the 7th of Debre 1721.

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* Mr. Forbes was chosen in 1722 for the Inverness district of boroughs.

No. CI.

Lord Lovat to the Laird of Culloden.

My dear Lord Provost,

THO' I am tender, & y^t ye weather is very bad, I came in here to do all the service I can. I refer to Mr. Baillie to give you ane account of what is doing here. * * * & other old Frds are only to be trusted. But I hope we will blow up all their Plot very soon. However, I think, w^tout losse of tyme, you should come home: you know y^t your presence would check a great many trimmers; but in your absence we will do what we can; & I hope y^t is to beat them to pieces, tho' their contrivances is very malicious; & you may be sure that Duncan will not act with more earnestnes & affection for your concerns than I will, and y^t w^t ye risk of life & fortune if it was usefull. I am my dear. John Forbes's

Most faithfull Slave,

Inverness, ye 9 of Dec. 1721. LOVAT.

No. CII.

From the same to the same.

My dear Lord Provost,

I Am heare this eight days doing what I can to serve you & your Interest.

I hope I have not been useless; for I left no stone unturn'd that I could think of to knock the last ridiculous Plot in the head; & I think it is better for you y^t they invented y^t piece of malice; for it only shows the world y all Inverness is yours, Whig and Tory: & y^t you can order any y^t dares call themselves Squade to be whip'd out of it. I refer to B—— Hos—— and Mr. Baillie, to give you ane account of my affection & zeal for you; which I believe you are convinc'd is all the business I have, or ever will have, to do with the Politicks of Inverness. I wish you a happy new year & a merry Christmass; but I wish it was at Inverness. I am eternally, My d^r Ld Provost,

Your most faithful Slave,

Inverness, ye 15^e of Debre 1721. LOVAT.

No. CIII.

Mr Duncan Forbes to his Brother Mr John Forbes.

Dear Brother,

WE are frightned out of our witts here, that Peter Haldane will be made Lord of Session in place of Fountainhall, who has demitted. If this happen, we have no more to say in the Session; and, for ought I know, the ridiculous process against you and your Magistrates may be determined against you, at a Season when there can be no Appeall. I am hopefull the Duke will look to his own Interest in this particular; which will be mortally wounded, if not killed quite dead, by such a Judge; and I cannot help thinking, that if the Ministers put such a Judge upon him, he has very litle to look to from their promises.

I expect to hear particularly from Inverness, in a day or two, what have been the Springs of our Tory friends' actions, and then you shall know.

I heartily regrate our friend Sandy's loss; I hope heel bear it, and get another son.

I am

Edr 19th Decer 1721. Yours.

Note.—Mr. Haldane was not appointed.

No. CIV.

Mr Duncan Forbes to the Duke of Argyll.

My Lord, Ed^r 29th Augt 1723.

THIS Morning your Grace's Letter was sent me by Com. Campbell, under whose cover it came. Observing it to be dated the 13th, and that, consequently, it ought to have come to hand ten days ago, I enquired somewhat carefully to discover where the stop had been. I found by the Cover, directed by C. Poter to the Commissar, that he folded it up at Sudbrook only on the 17th; and by the London Postmark that it was put into the Office there no sooner than the 24th. These things I remark to satisfy your Grace, that this Answer is not delayed throw any fault of mine; because you seemed disposed to take some resolutions, upon the failour of ane answer, in the course of the Post, from the date of your Grace's Letter.

I am heartily sorry that what I wrote your Grace, sometime agoe, in excuse of my friend George's delay of Payment, did not prove satisfactory. If that delay proceeded from unwillingness, there could be no excuse for it; but if it proceeded truly from unability at the time, I imagined your Gr. would have been as forward as I to have covered it. Had I not been absolutely sure that he was then unable to answer the demand, I should not have offered the proposition that I then made; but since I cannot safely, in this method of distant correspondence, hope to offer arguments that shall convince your Gr. that I was in the right, I shall at least give you the most substantial proof that I think I was so; for I shall forthwith do what I can to find the Money, and cause pay it up, to save my friend from Ruin. If it is remitted to J. Cockburn, I believe it will Answer your Grace's intention; and I hope in a very few Posts to lodge it in his hands.

If the mistake of your Letters having come so late to hand has not occasioned your Gr. doing somewhat cross to poor George before this reaches you, I flatter myself you will lay aside all thoughts of hurting a Man who, joined to more merite, has as great a love for justice and for your Gr. Service, as your most f. H. Serv^tt

DUN. FORBES.

No. CV.

The Duke of Argyll to Mr Duncan Forbes, Dated Sudbrook, Septr ye 7th, 1723.

I PROTEST, I never was half so much surpriz'd in my life as I am at ye way in which you take this affair of George Drummond's. I have not as y^t told Mr Walpool the Story; but I have told it to some of our friends, that I might see whether any Man thought upon the subject as you doe; & upon my word they are astonish'd; & I am confident all mankind will be so that hears it; & one time or other you may chance to be convinc'd that you have misjudg'd in your extream passion for Mr Drummond; who, I confess, I with pain see prefer'd to me. I take it, by what you say, that he is in a few days to be pleas'd to part with ye Money that he has thought to fit to retain eight years in his hands. I desire, to whoever he sends the Bills, he will condescend to confess having receiv'd the value out of the ten thousand pound, of some such discription. That done, to please you, I shall not hurt him; & to serve myself, I shall never trust him.

I am, Duncan,
Your faithfull Servant,
ARGYLL & GREENWICH.

No. CVI.

Mr Duncan Forbes to the Duke of Argyll, Dated Inverness, 21st Septr 1723.

My Lord,

I AM at present under the greatest concern that ever possest me, when I sit down to answer your Grace's Letter of the 7th, which I received in this place.

That your Grace's opinion, and that of your friends, concerning G. D. is a wrong one, I dare not take upon me absolutely to say; because you may be acquainted with facts concerning him, to which I am a Stranger; but if there was no more in the matter than I know; viz. that he, tho' willing, was unable to advance the Money for some months, without risquing ruin to himself and his friends; I cannot think that my entreating in his behalf with your Grace, or interposing to procure him the money, is a Crime unpardonable; tho', as I had the honor formerly to observe, his faultiness or innocence cannot well be explained in this manner of Correspondence.

But that which touches me the most sensibly is, the Opinion your Grace is pleased to express concerning me, as if I preferred G. D. (of whom you seem to entertain very unfavourable Sentiments) to your Grace: the consequence whereof may be, that one time or another I may chance to be convinced that I have misjudged.

To one whose Actions, in so far as they reguarded your Grace, flowed from the most sincere Love and affection; whose conduct never was influenced by views of interest or the least hopes of reward; and who flattered himself your Grace considered him in that light, the Censure is pretty severe. The study of my Life, since ever I had the honour to be known to your Grace, was, to merit your good will by honest actions. I was fond enough to believe that I had gained some share of it; and I do assure your Grace, nothing in nature can affect me more than the loss of it, excepting only the deserving to lose it.

The Consequences which, one time or another, I may chance to feel, Your Grace will do me the justice to believe, make no impression on me. Were I capable of dreading these, I should be unworthy of that place which I so earnestly courted in your Grace's Esteem. But I must confess, the reflexion that it should be in the power of chance, or industry, to give your Grace a jealousy of me, when my conscience bears witness to my sincerity, is a circumstance that brings me abundance of pain.

Your Grace will, I hope, pardon my complaining in this manner; since you are the only person living to whom I dare utter my complaint. Your justice will doubtless dispose you to examine more narrowly, whether there was any cause for suspecting my truth; and in the mean time, till, upon such Enquiry, I am found Guilty, I take the liberty to continue to subscribe myself, as formerly,

Your Grace's most faithfull and most humble Servant,

D. F.

I have written to Mr. Drummond, to acquaint Ja. Cockburn, that the Money remitted him by Bill was in satisfaction of so much Money which had remained in his Mr. Drummond's hands of the £10,000. since the late Rebellion. The Letter to Kilmahew, which came North, unluckily being under the same cover with your Grace's, I have directed for him.

No. CVII.

The Duke of Argyll to Mr. Duncan Forbes.

My Dear Duncan, Sudbrook, ye 10 of Oct. 1723.

I RECEIV'D your Letter out of ye North, by which I find you have strangly mistaken mine. The Opinion I have, you know, always had of you, cannot but have made it a pain to me to find you think me in ye wrong, & George Drummond in the right. It is wonderful to me, how you could conceive that I intended, by what I said, to threten you. If you can think well of me, you should think that I am sensible of the obligations I lye under to you, and sorry that I have had no opportunity to return them. I have, God knows, too little power to be such a fool as to threten my enemys; and, I think, too much Honesty to dream of hurting my friend: Man is, questionless, not perfect; and I am, no doubt, less so than I might be; but if you meet, Duncan, with many, either with regard to publick or private life, much better than myself, you may be said to have good fortune. I goe in two or three days into Oxfordshire, where ye Dutchess will be toward the end of the month, and shall remain there till a few days before His Majestie's return. Mr Walpole tells me, every thing will goe well; & I have reason to be perswaded, that he will sincerly doe the best he can to serve us. Give my Service to all our friends; and doe me ye justice to believe that I am

Your faithfull friend & Servant,

ARGYLL & GREENWICH.

No. CVIII.

Mr John Forbes to his Brother Mr. Duncan Forbes, Lord Advocate; dated Culloden, 28th January 1725.

Dear Brother,

WE have the strongest strugle about Elections in this Countrie, all over, was ever heard of, especially anent our Borrowes: so that I cannot yett say that Stewart is secure. I wish the writts were here; for till then, or rather till the Minute of Election is over, It is not possible to say who will be the Man; because Stewart, Killravock, and Collonell ***** M^c^Kynzie, by Tom. Robertsones (and his associats) ther bambusiling measures, doe all of them reckon themselves equally secure.

As to my Election, our Cousine Foulls is now here. He assures, Sir Donald will not come North; but Fraserdeall, who is also in this Countrie, asserts he will, and all his oy^r^ South Countrie friends. If he speaks trueth, tyme mest try who will be returned.

I am glad to hear the Address for dissolving the Union is throwen out by your Faculty; tho' its well knowen I was not for it. Yet a very thinking Man may easily belive this is not the proper tyme to propose such ane affair. I am truely sorrie to hear the litle Recabite was violently opposite to you and his oy^r^ friends in this matter; and as sorrie to hear that he is lyke to follow Jacobite measures at the Elections. If this be true, please show him this Lyne; and tell him, I take his apearing so, att this Jouncture, to be not only the greatest act of folly he can committ against his interest, but also the greatest affront he can possibly doe me, and all concern'd in me. It is, in plain terms, a giveing up all friendship with me. Yett still, insignificant as I am, it were more kyndly for him to wish me well, and to expect friendship from me, then to depend

depend on, or to be led by the nose by, the Man I am told he setts up for; who is a stranger to him, and will perhaps laugh att him when the Elections are over. I know you'll think I have spent too much paper on this subject; but I cannot help it, because I love my Cousine, and desyre to keep friendship with him. Pray lett me know what he inclynes to do, and use your interest with him to keep him right.

I cannot tell what to make of McIntosh.. If Argyll wrote to him, I am told, it might doe weell. But doe in this as you think fitt. Your friend Tom Robertsone and his father are intyrely in Fraserdeall's interest, for all the friendship he professes to you; and does oblidge his father, who never qualified before, to take the Oathes, only to oppose me; which I take to be the best thanks you'll gett from him and his associats for patronizing them in their villainies. All friends are weell. Dispatch the writts. How soon they come, lett me know when our great folks come to Scotland, and what oy^r Newes you have.

Y^rs JO. FORBES.

No. CIX.

The Lord Advocate to the Magistrates of Glasgow.

Gentlemen, Edinburgh, 25th June 1725.

WE are allarmed here with an imperfect Acco^t of a Tumult that happened in your town, in which Mr Campbell of Shawfield's house is said to have suffered; but how far the fury of the Mob proceeded, we have not yet heard.

I must own to you, Gentlemen, this News surprized me; the more that I have heard it for some time reported, there was such an intention; and that the populace was, by some means or other, stirred up to look upon Mr Campbell with an evil eye. That previous notice, I flattered myself, would have put the Magistrates of the town upon their Guard; and their good offices and credit with the people I hoped would have prevented extremities; especially since I knew that as last night they must have had with them two Companies of his Majestie's forces, who were commanded to assist the Magistrates, and obey their orders, in suppressing any tumults or Riots.

But as, contrary to those expectations, I now hear, that the Mobb was allowed to execute their threatning, without being informed justly how that Mob became insuperable, whether the proclamation against tumults was read to them, or whether the assistance of the troops was required, I take it to be my Duty to require of you an account of those matters.

What is to be wished, and what I hope will appear to be the case, is, that you, Gentlemen, have in all respects done your duty; and in that belief, care is taken by the General to order sufficient Detachments of foot and Dragoons to support the Civil Magistracy in the execution of the Laws; and to convince the Rioters, of whatever station or degree they may be, that they must not hope to insult the Governm^t with impunity.

What I have at present to trouble you with is, that you would be pleased, with all possible care and Diligence, to transmitt to me an account of what was transacted in the Mob, its rise, and progress.

And, that with all convenient Diligence you would make the most exact enquiry and search possible after all such persons as can be proved to have been accessary to, or active in, the said Mob & tumult; & that so soon as you discover any of them, you would be pleased to committ them to Gaol, and transmitt to me an account of their Names & Designations, together with the particullars of their accession to the Mob;

and

and the Witnesses names by whom such particullars can be proven; to the end that they may be tryed by those Laws which they have insulted.

When you have secured such of the actors as can be discovered, proper care will be taken to assist you to keep them in safe Custody, if that shall be necessary, and to transport them hither in order to their tryall.

I am heartily sorry, Gentlemen, that a subject of this kind should be the first that occasions our correspondence; and that a town so noted as Glasgow for its loyalty to his Majestie, and its adherence to those principles upon which the present happy establishment is settled, should be the first, in the whole Kingdom, that shakes off obedience to the Government, and that gives joy to the King's Enemies, by showing a spirit of Resistance and Opposition to the Laws.

I am, Gentlemen,

Your most humble Serv[t].

No. CX.

The Lord Advocate [probably to Mr. Scrope.]

Sir, Edinburgh, 26th June 1725.

IT may be for your convenience, that this Letter, which is like to draw to some length, be wrote by a borrowed hand; because you will get much easier throw it, than if it were of my writting.

In my last, which was of the 24th, but which will scarcely be with you soonner than this one, I told you that the Maltsters in this Neighbourhood had given ready access to Survey their Stock in hand; but that there was some cause to apprehend the Glasgow People would not be so tractable; for which reason, two companies of foot were sent to Glasgow, to be followed by some more forces with all Expedition.

Nor were the suspicions of the mutinous disposition of the People of Glasgow without foundation; for on the 23[d] (when the stock in hand ought to have been surveyed), a parcell of loose disorderly people infested the Streets, which made it unsafe for the officers to demand access, untill they could be supported; and the same tumultuary Disposition continued the 24th, but without doing any Mischief till towards the Evening, that the Mob got it in their heads, it was fit for them to demolish Daniel Campbell's house; on a suggestion, which you guess at the Authors of, that he was one of the Advisers of the Malt Tax.

About the time that this Mob began thus to be turbulent, the two companies of foot that had been sent from hence entered the Town: The Provost had sent them Billets, and had prepared the Guard Room for them. But as they were drawn up upon the Parade ready to enter it, the Mob got hold of the Keys of the Guard Room, Locked the Doors, and ran away with the Keys; so that, without breaking up the Doors, the Troops could not get in, who stood for some time in the Streets, insulted and abused by the Mob.

The Remedy in this case was easy, to have broke upon the Doors; and the Officer who commanded the Detachment proposed it to the Provost, from whom he had directions to receive his orders; but the Provost pretended to be affraid that such violence would irritate the Mob; and therefore advised the Officers to order his Men into their quarters, as the only expedient that remained for their safety; which the Officer readily agreed to, the Men having been very much wet & fatigued with a long rainy march.

After the Troops were in their Quarters, the Mob became still more boisterous, and directed their fury against Daniel Campbell's House, which they gutted and destroyed,

stroyed, pulling down every thing that their power could reach to. His Gardens they defaced, and broke down every thing except the Walls, which, it seems, they had not leisure to demolish in form.

But, what is of worse consequence to poor Daniel than the loss of all his furniture, the defacing his House and Gardens, the Carrying off his Wife's Jewells, and his own ready money & notes, they, as we are informed, got hold of his Writtings, and have left him neither Bond, Bill, Book, nor Accompt. If this should prove true, his sufferings must be very considerable.

About Eleven o'clock at Night, when the Mob was a Carrying on this Work, the Officer who commanded the Detachment of the Forces sent to the Provost to tell him, that he was at his service, and ready to obey his Commands, if He thought fit to employ the Troops in quelling that Mob. But the Provost returned him in Answer, That the two Companies were too small a force for that service; and it was therefore his opinion, that the Officer had nothing to do but to keep within his Quarters.

It is true, indeed, this Provost went in amongst the Mob, begging and praying of them that they would desist, tho' in vain; but it is equally true, that he did not attempt to read the Proclamation, or to make use of the assistance that the troops might have afforded him.

The next morning, that is, the 25th, after Daniel Campbell's house was Demolished, the Mob appeared less violent; tho' still some disorderly persons, who had got themselves Drunk over night in Mr. Campbell's cellar, continued running riotously up and down the Streets. However, the Provost, about ten a Clock of the Day, adventured to break open the Guard Room Doors, and to give admittance to the Troops; and he pretended further to act so far in his Duty, as to seize some of the Rioters, and to Committ them to Gaol. But that Act of his alarmed the Mob afresh, who got together in great numbers to Rescue the Prisoners, and endeavour to insult the Troops who had possession of the Guard Room.

To this end, a Woman, or a Man in Woman's Clothing, got hold of a Drum, beat it round all the Streets of the Town; and, having collected a great body of Mob, marched straight to the guard, where they attacked the Troops with Stones and Brick Bates so violently, that they had no choise left, but either to deliver up their Arms, or to use them.

Upon this, the Officer who Commanded the two Companies ordered the Men to fire; first powder only, in hopes of Terryfying the Rioters; but when that rather added fresh violence to their former courage, he was obliged to fire sharp; whereby several people were knocked down, and diverse more were wounded, which had the effect to beat off the Mob.

This Accident, however, provoked them still the more; insomuch that they at last rung the allarm Bell of the City, Broke up the Town's Magazines, and possessed themselves with fire Arms wherever they could find them; intending, as they said, to attack the troops in form, and to destroy them.

Upon this, the Provost sent a Message to the Officer, telling him what was threatened; and adviseing him, for his own Safety, and for the tranquility of the Town, to leave it as soon as he could, and to march out of it, where he might be safe.

The Officer, whose directions were to Receive Orders from the Provost, immediately marched his Men out of Town, in his Way to Dunbarton Castle. But, as he was followed for about Six Miles by the Mob, he was forced frequently to wheel about, and fire, to make his retreat good; which at last he effectuated, and arrived safe at Dunbarton last night.

This Demelle with the Troops begun about three a Clock in the Afternoon. In it some of the Mob are said to have been killed, and many wounded. The numbers of

the Slain are variously reported; some making them to amount to ten or twelve, another to no more than five or six.* Two of the Soldiers, who could not keep pace with the Detachment, fell into the Rioters hands; and one of these is said to have been so inhumanely used, that his life is despaired of.

This is, Sir, the best account I can give you of that transaction; a consequence whereof it probably will be, that the People in the Neighbourhood will refuse to pay the Tax until the punishment of these who have already offended shall convince them, that the course is imprudent; for the Commissioners of Excise have Advice from their Officers at Hamilton, Paisley, Ayr, &c. that they have been refused access, and Maletreated; and that the people of these places give out, that they will follow the Example of Glasgow, and not that of Edinburgh.

For this Reason it is, that it is thought necessary, that before the Officers be exposed to fresh insults in those places, or the people be directly involved in Crimes, a Sufficient force should be brought together, to support the execution of the Law at Glasgow, and to bring the Actors in this Riot to Condign Punishment.

As General Wade happens to be still here, he acted with great Judgment & vigilance in this matter. He has ordered Colonel Campbell's and My Lord Stair's Regiments of Dragoons to be furthwith taken up from Grass, and to march to the proper places in the Neighbourhood of Glasgow. He has ordered five Companies of Colonel Clayton's to march hither from Berwick; which, with so many Companies as can be spared from hence of my Lord Delorain's Regiment, will form a sufficient body to strick terror into the Mutineers in the West, and to support the Civil Magistrate in taking up the Offenders; and at the same time, he has ordered some of the Troops intended for the northern expedition, to halt where they are till further Orders, that they may be at hand in case there is any occasion for them.

So soon as the Troops intended for Glasgow are got together, which I believe may be in Six or Seven Days, proper directions shall be given for taking up so many of the Rioters as can be come at; and in the mean time, the necessary informations and evidences shall be preparing, that their Tryall may be speedy; and so soon as we have got hold of as many of the Offenders as we can come at, their Characters and the particular circumstances of their Guilt shall be made known to you, for your directions how to proceed.

By the Circumstances which, in this Naration, I have marked concerning the Provost, you will easily perceive, that his conduct seems to have as much the Air of Guilt as any one's who is not directly active can have; and yet I am told, even by Daniel Campbell himself, that he suspects him of no Guilt, but only of plain stupidity; however, Sir, should even that appear to be the case, I submit it to you whether his conduct is not such as deserves a very smart reproof. Upon an information of Malversation in respect of his Office, and accession to the Riot, he may be taken up and Committed; that single Act would certainly strick terrour in all the Neighbouring Magistrates, who may have a Disposition to be remiss in their Duty; and tho' his Malversation should appear at last to be more the effect of Folly than of Design, I cannot help thinking that he deserves to meet with a little Severity, if that Severity may be usefull to the publick.

If it shall be your Opinion, that I should give Directions for Committing this Man, alongst with the other Rioters, your Orders in answer to this will come time enough, and I shall obey them. I am,

Sir,

Most faithfully Yours, &c.

This goes by a flying paquet that General Wade dispatches to the Duke of Newcastle.

No. CXI.

No. CXI.

M[r] Scrope to the Lord Advocate.

My Lord, July y[e] 1st 1725.

YOURS of ye 26th ult. came to my hands yesterday morning; upon receipt whereof (S[r] Ro[t] Walpole being out of Town) I imediately waited on ye Duke of Newcastle, who was pleased to shew me the letter he had from Mr Wade, and he thought what you write was of y[t] consequence, that it was necessary to suñon ye Lords of ye Regency; wch could not be done till this morning, because my Lord Chancellor was engaged. By this conveyance you will have their sentime[ts], and directions to you and Mr. Wade to carry on things wth ye utmost vigour; wch I hope will put a stop to any insolence of the like nature in other places. For ptilars I refer you to Mr. Delafay.— The Duke desired to have your Letter to lay before the Regency, and intends to send a Copy of it to Hanover, w[ch] I easily parted wth because it was writ wth great judgm[t] & prudence.

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I am very sorry to hear of Mr. Campbel's Misfortune. Y[e] Duke of Newcastle promised to write to him, and to assure him y[t] he should not be a sufferer by it. I can't think y[e] Provost behaved as he ought. Y[e] forces might at least have protected Mr. Campbel's house; and had they been sent thither at first, 'tis probable ther had been no occasion for their retreating to Dunbarton.

I have only time to add; y[t] I am very faithfully,

My Lord,

Yo[r] Lordships most Obedient humble Serv[t],

J. S[crope.]

No. CXII.

M[r] Delafaye to the Lord Advocate and Sollicitor of Scotland.

My Lord, and Sir, Whitehall, July 1st 1725.

THE Lords Justices having received Information by several Letters, which were this Day laid before them, particularly two from yourselves to Mr. Scroop, of the Tumult which happened at Glascow upon the occasion of the Commencement of the Malt Duty in Scotland, which Riot was accompanied with the highest instances of insolence, Cruelty, Rapine and Violence, and too much countenanced and encouraged by the connivance or at least (if it can possibly bear so favourable a construction) by the neglect and the want of Resolution, Vigour, and Activity, of the Chief Magistrate, and by the willfull absence of the rest, at a time when the Seditious and tumultuous disposition of the inhabitants did more particularly call upon them to attend the Duty of their Offices; Their Excellencys judging it of the highest importance to the Service of His Maj[ty], the honour of his Administration, the Peace of his Kingdom, and the Safety of his Subjects, that so audacious an attempt, in defiance of all Laws and Government, should not remain unpunished, have commanded me to signify to you their directions, that you employ your utmost care and endeavours in bringing the Offenders to Justice, and in causing such of them to be seized as you shall judge convenient, against whom you can have any evidence; particularly the principal Actors in that Riot; those that were guilty of murder, and those concerned in demolishing of M[r] Campbell's House.

Tho' the Guilt of the Rioters might, by the construction of Law, amount to High Treason, yet their Ex^cys, desiring that the proceedings against them may be speedy and effectual, have not thought fit to order their being prosecuted for that crime; but direct that you proceed against them, according to their respective Cases, under these three Heads, of Murder; of Felony, upon the Statute 1st Georgii, in demolishing or beginning to demolish, Mr Campbell's House; and of Riot; that you go upon the Tryals of such, against whom the evidence is plainest; and that the said tryals may be carried on with all possible expedition at Edenburgh, according to the Laws in force in Scotland.

Their Excellencys would have you also enquire into the behaviour of the Magistrates; and particularly consider the case of the Provost of Glascow's omitting, upon the above-mentioned Riot, to read the proclamation appointed by the aforesaid Act, to be made in the like occasions; and proceed against Him by securing, examining, and Committing him, according to Law.

Their Ex^cys observing that Mr. Campbell, by a Clause in the said Act, is entitled to a Remedy against the town of Glascow for the damage he has suffered, would have you suggest to him the making use of the advantage which that Law gives him.

Their Ex^cys do also direct, that, as you take Informations against the Criminals, and their Examinations, you do from time to time send me Copies thereof, to be laid before their Ex^cys; and I take it for granted, you do not want any directions to let me have such an account of your proceedings as you shall think fit, to be laid before them. I am also persuaded, that you will not fail to inform their Excellencys of any Discoverys that you shall be able to make of the springs of these disorders, and of the persons by whom they have been fomented and abetted. I am sure it were unnecessary for me to add any thing to excite your Zeal and diligence in so necessary and so important a Service; I shall, therefore, conclude with my hearty wishes for your good success in it; and the assurances of my being, with great truth and respect,

My Lord, and Sir,

Your most humble and obedient Servant,

Ch: DELAFAYE.

No. CXIII.

The Lord Advocate to Mr Delafaye, dated Edin^r, 8th July 1725.

Sir,

I RECEIVED, by the Messenger who will deliver you this, yours of the first instant, signifying to me the commands of their Excellencies the Lords Justices, concerning the Tumults at Glasgow; and to the end their Orders may be the more effectually executed, I am resolved to go furthwith to Glasgow, and to do what in me lyes for discovering thorrowly, and bringing speedily to punishment, the Offenders.

As that Town is generally pretty much involved in the Guilt, it will be attended with some Difficulty to make the proper Detection of the secret Advisers and promoters of those outrages; however, I have already taken all the previous care I could of that matter. I have sent before, secretly, two young fellows from hence, who are acquainted pretty well with the towns-people; and who, under pretence of other Business, are to pick up all the private information they can, to the end that I may follow it out, when I go thither, with a regular Enquiry.

By what I can at this distance learn, I conceive there will be evidence enough of the conduct of the Chief Magistrates who were in the Town, to subject them at least to a just prosecution for gross Malversation in their Offices; the consequence whereof, by

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the Law of Scotland, is Deprivation & Uncapacity; but whether there can be any evidence found of their actuall accession to the Riots, by adviseing or fomenting, is what I cannot answer till I have gone on with the Examination.

I Believe we shall have plenty of Evidence against the persons who acted ouvertly in the Mob; but as the Magistrates have hitherto thought fit to commit none of them, on pretence that they durst not take upon them to act, for fear of the Mob, before the Arrival of the Troops, I am affraid that the appearance of the Troops will determine the greatest part of those, who know that they can be proved guilty, to get out of the way; but all endeavours possible shall be used to search for & to committ them.

Tho' the Rebellious Disposition in Glasgow Looked ill at the Beginning, and proved a great encouragement to other places in the Neighbourhood to stand out against payment of the Malt Duty, I am very hopefull that the punishment of the Offenders there, and the just resentment that the Lords Justices have been pleased to express on that occasion, will humble those who took originally their Example from the insolence of Glasgow, and pave the way for the peacible Collection of the Malt Duty over the whole Nation.

As the Refusall of Entry to the Malt Officers, generally, was the effect of a false Report, industriously Disseminated throw almost Every Royall Burgh of the Nation, by Emissaries employed for that purpose, that the whole Royall Burroughs of Scotland had come to a Resolution not to pay the Malt Tax; I have given the best directions I could think of, for coming at a Discovery of the persons imployed in carrying on such a confederacy against the Government and the Laws, to the end they may be prosecuted as their offence Deserves.

And as the Annuall Convention of the Royall Burrows of Scotland, which consists of a Commissioner from each Burrow, is now assembled at Edin^r, We thought it might be of some Service to knock down the spirit of Opposition raised upon such a false suggestion, if the general Convention could be brought to testify their abhorrence of such Sentiment, by a formall Resolution to be circullated throw all the Burrows of the Kingdom.

And, accordingly, We moved and Carryed by a vast Majority the Resolution, a Copy whereof is inclosed *; which, I hope, will dispose the people generally to a due Submission. When I talk of a great Majority, I must explain it, that there were but four Negative votes; and even these did not pretend to Dissent from the Resolution; but, whatever their Secret Sentiment might have been, contented themselves with arguing for a delay; and gave their negative, as they said, because that delay was not indulged them.

I have conversed with Mr. Daniel Campbell on the Subject of Claiming Satisfaction for his Damage from the town of Glasgow, on the foot of the Act, the first of the King, for preventing Riots; and I find him disposed to do in that respect whatever the Lords Justices incline he should do.

Mr Solicitor General was willing to have gone to Glasgow, to assist at the enquiries and examinations that are to be carryed on there. But as I thought that his presence here might be of service to assist the Commissioners of Excise, & the Magistrates of this City, with his Advice, in case of any suddain emergent, I have perswaded him to remain in this place, and have given him a deputation to act for me in my absence, pursuant to the powers contained in my Commission.

* This does not appear among the Papers.

I shall

I shall from time to time take the liberty of writting to you, when any thing happens worth the notice of the Lords Justices; and shall not omitt to transmitt to you, to be Laid before their Excellencies, exact Copies of all the proceedings that shall be had at Glasgow.

This moment I am setting out with the General for that place: he shows a great deal of spirit and vigilance on this occasion.

I am, S^r^,

Yours.

No. CXIV.

Mr Delafaye to the Lord Advocate.

My Lord, Whitehall, July 13th, 1725.

I AM honoured with your Lordship's Letter of the 8th Instant, which I laid before the Lords Justices; and I have their Ex^cy's^ Command to signify to you their entire approbation of what you had done, and proposed to do, in compliance with their Directions, for detecting and bringing to justice the Persons concerned in the late Tumults at Glasgow; and the dextrous manner in which you have set about getting the best information of that unfortunate Transaction, and of the wicked advisers and promoters of it.

Nothing could be more prudent and seasonable than the Resolution and Declaration you procured from the Convention of the Royal Burroughs; and their Excell^cys^ thought that your care and pains in this matter deserved their particular thanks; which I accordingly return you.

Their Excell^cys^ are extremely satisfied with Mr Solicitor General's Zeal for the King's Service; and desire you will assure him of the sense they have of it.

I am, with great truth and respect,
My Lord,
Your Lords^p^ most obedient humble Servant,
CH. DELAFAYE.

No. CXV.

An ACCOUNT of the Conduct of the several Magistrates of Glasgow, touching the late Riots there; from whence those Acts of Malversation in Office are deduced, for which they are Committed, and may be Tryed.

[Evidently in the hand-writing of the Lord Advocate.]

THE Magistrates of Glasgow who were Committed are Six in number; The Provost, three Baillies, the Dean of Guild, and the Deacon Convener.

The Guilt of the Provost, in not putting the troops in possession of the Main Guard, which would have prevented the misfortune of that night; and in not allowing the troops any other place, where they might be together; in Ordering them to separate quarters; in not reading the Proclamation which, by the Law, He is commanded to endeavour at least to Read; and in refusing the Assistance of the troops at last when offered, is too palpable to stand in need of any Observation: tho' at the same time, from the Character of the Man, it is very possible, that the fear with which He may have been possessed by other People, who had the destruction of Mr. Campbell's House in their Eye, and who were affraid to be disappointed of their design by the Arrival of

the Troops, might have been the immediate Cause of his Action: However, as that cannot prove a legall justification to Him, it makes it necessary to sift the Conduct of his Collegues in the Magistracy the more carefully.

Of his Collegues, Baillie Stirline, and Baillie Johnston, were, as is believed, industriously out of Town, at and for some time before the Riots: So that no Magistrate remained with the Provost, except Baillie Mitchell, the Dean of Guild, and Deacon Convener.

This Baillie Mitchell is by trade a Maltster, and is the present trades Baillie, upon whom the care of the Tradesmen and Artificers by which those tumults were chiefly carried on depends. He, on the first appearance of the mobish assemblies, on Thursday forenoon, the Day on which the Troops entered the Town, and on which Mr Campbell's House was attacked, deserted his Duty, and left the Provost without giving any account of Himself; nor did he appear in the Streets all that Day, the night following, or the next morning till about 9 o'Clock, that he took a Boat privately, and went away to Port Glasgow. Thus He left the Town, after seeing the destruction of Mr Campbell's house, and knowing what danger the Town was in from a Mob, without asking leave from the Chief Magistrate, & without offering his advice or assistance for taking proper measures towards the preservation of the peace.

This, it is humbly conceived, is a gross Malversation in Office.

The Dean of Guild was likewise in the town with the Provost, and was witness to the Riotous Assemblies on Thursday's forenoon; but about the time that the Troops entred the Town he withdrew Himself from his duty, and from the Provost's assistance, and continued absent till the troops were sent to seperate quarters: it is true, indeed, he afterwards returned to the Provost, and went alongst with him to intreat the Mob to dissipate; but it is equally true, that He did not attempt to Read the Proclamation, which duty led him to endeavour to Read.

This Dean of Guild was also the person who the next morning, in a meeting of the Merchants who were deliberating upon a proposition for calling together a Burgess guard, insisted on it, and carried it, that such Guard should not mount with swords; but with staves only; from whence his disposition towards the Rioters may naturally be gathered.

The Deacon Convener, whose business it is to Assemble and Convene, and to preside over the trades, was witness to the tumultuous assemblies on Thursday's forenoon, and stayed with the Provost till the troops came into town, and the mob was gathered about the Guard Room; but then He withdrew himself from his Duty, and from attendance upon the Provost, and did not appear again on that night.

And on the Friday's night following, and the Saturday's morning, tho' he had a guard mounted, with which he pretended to preserve the peace of the town, he did not offer in the least, or attempt, to disturbe the Rioters who were busie all Friday's night & Saturday's morning in demolishing Mr Campbell's House.

As to Baillie Stirline & Baillie Johnston, who were absent, tho' no Ouvert Act can appear from which their encouraging or fomenting the Riots can be gathered; yet on the 30th of June, in place of taking an examination, by which the Rioters might be discovered, seized, and punished, they thought fit to take a partiall examination concerning the supposed abuses Committed by the Commander of the Troops; and the pretended unjustice which, it was said, the people met with; and, out of such examinations, to draw out a false and partial account of the fact, which they signed & transmitted to Edinburgh, in order to be printed; and this they did when at the same time they neglected to return any answer at all to a Letter which the Magistrates received from his Majesty's Advocate, requiring from them a particullar account of

those

those transactions; and desireing them to search for, Seize, and Committ such Offenders, when they should discover them.

A Circumstance that aggravates the Guilt of the whole Magistrates is, that, tho' they received the aforsaid Letter, dated the 25th of June, requiring them to Act as above; yet they never returned any answer, nor made the least step towards Discovering or Seizing any of the Rioters. But, on the Contrary, suffered the most nottorious of them to stay openly in town 'till about the 9th of July, that His Majestie's Troops approached Glasgow; and even then, permitted those riotters to Escape.

Another general Circumstance against all the Magistrates is, that tho' His Majestie's Advocat required the Dean of Guild, and one Baillie Ramsay, a late Magistrate, whom he met at Edin^r, to acquaint all the other Magistrates of Glasgow, that if, as they pretended, they durst not, because of the Mob, Seize any of the Rioters before the Troops came up, it would be taken as acceptable service to the publick, if they would employ their interest and industry secretly to get informations against the chief rioters, and to make up lists of their names, to the end the Advocate might Committ them when he arrived. And tho' this message was delivered to the Magistrates, and they pretended to the Advocate on the 9th July, when He came to Glasgow, that they had obeyed his instructions, and prepared Lists as he directed; yet on the 10th of July, when, pursuant to their promise, they came to deliver to Him Lists such as he expected, the only paper which the Provost, in the presence of the Magistrates, put in his hand, was a List of seven persons, said to be rioters, whereof 4 were women, & 3 only men; & of the three men, one was a tinker, whose residence was not described in the List; another was not an inhabitant of Glasgow; and the 3^d was a mean labourer, who resided somewhere in the suburbs of the Town, but had fled. Neither did they tender any other information or list of offenders to the Advocate, at that or any other time.

If this last particullar is not of itself a Malversation such as merites Deprivation, it at least will show what construction is to be put upon the Magistrates other actings, above taken notice of.

No. CXVI.

Lord Caithness to the Lord Advocate.

My Lord, Murkle, July 14th, 1725.

I WRIT to my Brother by the last Post, desiring him to tell you that I am very willing to accepte of the Lieutennency of this Shire; and had written to you, were it not for a little disorder I had in my eyes. Since the Duke of Argile thinks it proper that I shud accepte of something from the Goverhment, I wil not refuse it, be it never so little, or in whatever shape or form it be, since he does me the honour to procure it for me. I never was prompted by necessity or avirice to dunn and importune for favours of this kind; and there is less reason whey I shud doe so now then ever; for by observing Major Pack's prescription, of suiting my dyet to my pay, I have made myself very easie. Nevertheless I believe I were to blame if I refus'd them when offr'd in a suitable manner. My Lord, the offers that are made my Brother are, I belive, in a great measure owing to your good ofices; though I know the Duke of Argile to be the readiest man in the world to doe good to all that are not unworthy of it. Yet it being my misfortune to be so little known to him, I could hardly expecte to be remembr'd by him, otherwise than as falling under the general consideration on account

account of some new schem for electing the sixteen peers. If you aprove my sentiment, be pleas'd to let the Duke know it; if not, favour me with your advice as soon as you can. Though I wil not be importunat, I doe not like to seem shy. I wish you good health, and all manner of prosperity, and am with great esteem,

My Lord,

Your Lo. most humble
and most obedient servant,
CAITHNESS.

No. CXVII.

Petition from the Magistrates of Glasgow.

To the Right Honourable the Lords Justice Generall, Justice Clk, and Comm^rs of Justiciary.

The Petition of Charles Miller, Provost of Glasgow; John Stirling, James Johnstoun, James Mitchell, Baillies; John Slark, Dean of Gild; John Armour, Deacon Conveener there;

Humbly Sheweth,

THAT upon Friday the 16 Curr^nt your petitioners were committed prisoners to the Tolbooth of Glasgow, upon warrants from the Right Honble Mr Duncan Forbes, His Majestie's Advocat, and one of the Justices of the Peace for the Shyre of Lanerk; of which warrants, conceived indeed in a very new Stile, coppies are herewith given in.

Your Petitioners hope in due time to Satisfie your Lo^ps and ev'ry impartial person, how litle ground or foundation there is for charging them with those things they are accused of in the Warrants; but att present they know it is improper to enter upon their justification. The proceeding is very New and extraordinary, even for His Majestie's Advocat to committ to Prison the whole Magistrates of a Burgh; much more extraordinary is it, that such a thing should be done by a Justice of Peace of Lanerk; and that by this means so considerable a burgh, not only known to have demonstrated their affection to the Government on all occasions, but to have distinguished themselves that way, should be left without a Civil Government in the hands of a military power.

However, Since such proceedings are had, it is some advantage to your Petitioners that they are under the protection of the Law, and may have releiff from your Lo^ps justice; and what we humbly apply for at present is, a Warrant from your Lo^ps for setting us att Liberty, either without Baill or upon Baill, as your Lo^ps shall think just.

And, in the first place, wee submitt it to your Lo^ps If the Right Honourable Mr Duncan Forbes, as His Majestie's Advocat, hath a power to committ us. If he have not, his warrant, as given under that Character, is Void, and wee fall to be dismissed without Baill.

2do, Wee Submitt it to your Lo^ps if a Justice of Peace of Lanerk hath power to committ the Magistrates of Glasgow for a pretended Malversation in their Offices. Wee don't doubt but a Justice of Peace may committ any Man whatsoever catched in an actuall breach of the peace; but that is not the case: it's plain, by the warrant, the pretended crime arrises from a defect, as is said, in the Right Execution of our Offices; and indeed the committing of the whole Magistrates makes it more plain; and wee know no power any Justices of Peace have to committ Magistrates, on pretence of negligence or Malversation. It is needless to mention how high that might go: a Justice of Peace may easily mistake a Malversation in Office; perhaps some Justices might think this warrant not intirely regular; and it is yet more extraordinary for a Man, as Justice of Peace of Lanerk, to give Orders to deliver over the Bodies of his

Majestie's subjects to the Military, not under the Care of any Constable, Messr, or Peace Officer, to be carried through another Shire, with a direction to the Magistrates and Keepers of the Tolbooth of Edinr (over whom a Lanerk Justice hath no Jurisdiction) to receive them into Prison.

But, in the next place, as this Warrant is granted without sufficient powers, wee apprehend it is directly in the teeth of Law, and contrary to the Liberty of the subject. Wee have already taken notice of that part of it ordering us to be Delivered over to the Military, without being under the Custody of any civil officer; but what we are furder to notice is, the congruity of this Warrant with the Act for preventing wrongeous imprisonment. That Law, in all cases of Committment, requires a Warrant in write, expressing the particular cause of the committment. Wee can find no particular cause in this Warrant. "Wee have by our conduct favoured and encouraged the Mobbs, Tumults," &c. This wee take to be far from a particular cause; favouring and encouraging are not termes used in law; at least, not in any law against Tumults. It will require an explication, to make favouring & encouraging a crime; for it is plain, in some sense, persons might favour and encourage, & yet be guilty of no Crime. A mobb might be encouraged by a Magistrate's running away for fear; but that could fix no crime. If, then, the Words of the Warrant don't necessarly set furth a crime, the Committment is agt Law; and as to the pretence of Malversation in our Offices, that is more uninteligible: it is neither a particular cause, nor is it a thing for which a Magistrate can be committed before triall taken.

Wee do likewise apprehend, that every thing which may be a subject of accusation is not a ground of Commitment; and wee do submitt it to your Lops if there be any thing expressed in this Warrant, for which your Lops, or any Judge whatsoever, would have granted ane order of Commitment before triall. If this be encouraged, the Act of Parliament is useless, and here is an end of the liberty of the subject.

For these reasons, wee humbly conceive the Warrand is Void and Agt Law; but, rather than take up time with a dispute on that head, wee offer instantly to find Baill, which we did likewise offer to his Majestie's Advocat; and wee hope there is no manner of doubt, that the pretended Crimes in this Warrant are Bailable.

May it therefore please your Lops to order us to be sett att Liberty, wee finding baill according as your Lops shall please to order; and to direct your Lops order to any Person in whose Custody wee may be found, whether Keeper of a Tolbooth or Military Officer; for, indeed, after such Warrants, wee must be uncertain in whose keeping we may be found, according to Justice. Sic. Subt

JAMES GRAHAM.
RO. DUNDAS.

Edinr 17th July 1725.

The Lord Justice Clk and Commrs of Justiciary ordain this Petition to be seen and Ansred by his Mātie's Advocat or Solicitor agt Munday next, att ten of the Clock forenoon.

No. CXVIII.

Address from the Magistrates, &c. of Glasgow, respecting the Riots on the Malt Tax.

To the King's Most Excellent Majesty.

The Humble Address of the Magistrates & Common Council of the City of Glasgow.

Most Gracious Soveraign,

WEE your Majtys most Loyal & Dutifull Subjects beg leave humbly to represent to your Majty the great sence We have of yc many Blessings your Kingdoms do enjoy under your Majtys mild & auspicious Government, and to express our utter abhorrence

 & detestation

& detestation of those Riots & Disorders that have lately happened in this your Majᵗʸˢ Loyal, tho' in so far unfortunate, City of Glasgow.

Wee are deeply sensible how highly Criminal such outrageous proceedings are, how destructive to Society, and how unbecoming a Corporation that hath endeavoured to distinguish itself by an exemplary affection & zealous adherence to your Majᵗʸˢ Government, and the interest of your royal & illustrious family. But as those Disorders were begun & carried on by the lowest and most abject sort of the populace, without the countenance or approbation of any persons of note or consideration in the place; Wee humbly hope, from your Majᵗʸˢ known justice & great goodness, that neither the folly nor wickedness of such mean, obscure, and for the most part unknown miscreants, will be charged to the account of your Majᵗʸˢ most loyal City.

Wee your Majᵗʸˢ most faithfull & well meaning Citizens have, with no small concern and astonishment, seen our Magistrates committed to the Gaol of that Town, with the governmᵗ of wᶜʰ they are intrusted, without being allowed the benefit of finding bail, and carried in an extraordinary way prisoners through a considerable part of the Country, and then thrown in the nauceous common prison of Edinburgh, as favourers & incouragers of tumults which they utterly detest. But while we are conscious & perswaded of their innocence, we presume to approach your Majᵗʸˢ Royal Throne with humble confidence of your Majᵗʸˢ most gracious protection and countenance; and to lay before your Majᵗʸ the true and faithfull account hereunto annexed of the several Circumstances of these unhappy disorders.

And although we cannot take upon us to justify their behaviour from errors in point of judgment, into which they may readily have fallen, when under the concern & anxiety that naturally arose from so unexpected an emergent; yet with regard to the sincerity of their & our intentions, & candor of our endeavʳˢ to settle and maintain the peace of the Town intrusted to our management, We do most humbly submit our Conduct, and that of our Magistrates, to your Majᵗʸˢ great wisdom.

That your Majᵗʸ may enjoye a long, glorious, & quiet reign over a dutifull, submissive, & contented people, is the earnest prayer of,

May it please your Majᵗʸ,
Your Majᵗʸˢ most faithfull, most loyal,
& most dutyfull Subjects,
The Magistrates & Comon Council of the City
of Glasgow.

Signed, by order, in presence and name of the Council, by
Glasgow, 31ˢᵗ July 1725. CH. MILLER, Provost.

No. CXIX.

A true and faithfull Account of the proceedings touching the Riots and Tumults which have lately happened in the City of Glasgow.

Upon the 23ᵈ and 24ᵗʰ of June last, the day before and the day on which the Malt tax commenced in Scotland for the service of the year 1725, there was an appearance in the streets of some disorderly persons, consisting chiefly of women & boys, who were soon dispersed by the Provost and other inhabitants.

Upon the 24ᵗʰ, in the evening, two Companys of His Majᵗʸˢ forces came to Town under the Command of Capᵗ Bushell, which drew a concourse of people into the streets; but that, being usual on such occasions, gave the Magistrates no apprehensions of any Riot, until the Provost, who is Chief Magistrate, had notice brought, that the

persons he had ordered to prepare and fitt up the Guardroom for the reception of the Forces were dispossessed by a Mob, the doors of the Guardroom locked, and the Keys carried off. The Provost thereupon sent the Town Officers to break open the doors of the Guardroom; but they being bruised and beat off, he went in Person from the Townhouse towards the Guardroom, to have the same made open; and in his way was informed, that the mob was much increased and threatned to pull him in pieces if he came there on that errand; and was thereupon advised by several of the most respectfull Burgesses, that it might tend to quiet the disorders, should the Soldiers be sent to quarters for that night upon billets, and the common Town Guard advertised to attend as usual. Of this the Commanding Officer being acquainted, he agreed thereto; by reason, his men being fatigued and few, and saying that he expected to be reinforced next day with two other Companys: upon which the Town Guard was advertised to meet at the ordinary time, which is betwixt ten and eleven at night.

The Provost, with Mr Campbell of Blythswood, the only other Justice of Peace then in the place, with several of the Burgesses of best account, continued in the Townhouse till towards nine a Clock at Night; and then, there being no appearance of the least disorder, they went together to a tavern hard by: a little after ten at night, account was brought to the Provost, that the Mob had again got together, and were making an attempt upon Mr Campbell of Shawfield's House, situate in one of the extremitys of the Town; whereupon the Provost and the Gentlemen with him went immediately to Mr Campbell's House, and by entreatys and threats did prevail with them to retire; having then done little other damage than breaking some of the windows; and at that time, when there was good hopes of their dispersing, great numbers of disorderly and riotous people advanced from several quarters toward the House, insulted the Provost, beat down the Town Officers, and threatned the Provost and the Burgesses with him; on some of whom they laid violent hands; so that they, seeing it was impracticable to stay the torrent, were obliged to make their excape; which they did with great difficulty, having been pursued by several desperate fellows armed with Clubs.

After which, being then near twelve at night, while the Provost was consulting with some of the Burgesses about calling the Military together, a Serjeant came to the Provost from the Commanding Officer, offering, if there was occasion, the assistance of the Military; to which the Provost answered, he was most willing, provided they could be got together; adding, he was only afraid they would now be in bed, and would be disarmed and knocked on the head before they could be brought to meet together (the Mob being then in full possession of the House, and very numerous and outrageous). To which the Serjeant answered, that was the case, for the Men would be in bed. The next day, being the 25th, for preventing further confusions, the Provost desired the Commanding Officer, that he might have his Men ready to take possession of the Guardhouse; and while they were convening, the Provost, and a good many of the principal inhabitants, went to Mr. Campbell's House, caused secure and shut up the entrys and doors in the best manner; and returning to the Guardhouse, where the Military were drawn up, gave possession of it to the Officer, and two Companys under his Command. Immediately after the King's Troops were thus lodged, the Provost gave orders, that twenty men of each of the ten Companys of Trainbands should convene at the Townhouse at three a Clock in the Afternoon, in order to assist in suppressing any tumults might happen. Betwixt two and three, a considerable number of riotous persons, consisting chiefly of Women & boys, having got together near the Townhouse, the Provost, with the assistance of sundry of the Inhabitants, caused them soon to disperse and fly; but in a little time, as the Provost was afterwards informed, a good many more appeared before the Guardhouse, and insulted the Military by throwing of stones. It has not

hitherto

hitherto appeared, that any of the Troops were disabled or hurt by this insult; nor does it appear that the Officer or Soldiers under his Command were at this time in any great danger; however, the Commanding Officer ordered them to fire; by which first fire two men were killed, who had been no way concerned in the Riot, and were then a good way distant from the Guardhouse; and thereafter continued to fire by Platoons, towards the four principal Streets; tho' in some of them there was no mob, nor not so much as one single stone thrown. The Provost, upon hearing the first fire, sent a Gentleman with a request to the Commanding Officer, that he might fire no more; and to acquaint him, that a sufficient number of Townsmen should be sent to assist in quelling the Mob. The Capt promised not to fire till the Gentleman should return; notwithstanding which the Soldiers did fire. Upon the Gentleman's return to the Provost, he found him environed by a more formidable Mob than was at the Guard, and complaining highly of the injury done the Town by firing sharp in the streets; wherby some of the inhabitants were killed, and several wounded. The Provost did all he could to pacify them by threats and smooth words; but all was of no avail; the multitude was so incensed that they proceeded to break open the doors of the Townhouse, in order to ring the alarm Bell, and to take from thence some old Arms and Halbards that were therein lodged. The Provost hereby perceiving he should not be able to quell the enraged Mob, who were increasing every minute, and who he presumed would still be greater upon ringing the Alarm Bell, dispatched again immediately the same Gentleman to the Officer with a message, that he believed it would tend to the safety of the Officer and King's Troops, and the quitting the present tumult, for him and his men to retire out of the Town; the officer accordingly retired; and tho' there were no numbers pressing upon him, he continued firing upon the Streets; whereby, in all, there were nine persons killed, particularly one Gentleman out of a Window two stories high, some in the sides, and others crossing the Streets, going about their lawful affairs; and seventeen dangerously wounded, whereof not above five or six at most, so far as can yet be known, was in any way concerned in the Mob. Upon the Troops leaving the Town, some of the Mob followed after; but came up only with two of the Soldiers, who through immediate indisposition had fallen behind: these two being brought back to the Town, one of them was dismissed; and the other, being hurt in the head, was carried to the Town House to be taken care of, and in a few days, being fully recovered, was likewise sent off.

Glasgow, 31 July 1725.

Signed by Order, in presence and name of the Magistrates and Council of Glasgow, by

CH. MILLER, Provost.

No. CXX.

Mr Delafaye to the Lord Advocate.

My Lord, Whitehall, Augt 24th, 1725.

I RECEIVED yesterday the honour of your Lõps Letters of the 17th Instant. That which is upon Business I will lay before the Lords Justices next Thursday; and I am very glad that you are so clear, as I am sure you are very right in your judgment of their Ex^cys intentions; whose approbation you need not in the least question but you will have in the fullest manner upon every step you take.

I must in a particular manner beg leave to return my humble & hearty thanks for your goodness to me, in your private Letter. You will find how dangerous it is to make offers of service, by my taking you at your word, &, without more ceremony, begging

begging you will favour me with an Account of the nature and business of the Signet office in Scotland; which, by the removal of the Duke of Roxburghe, falls to the two English Secretarys of State. I suppose it is by virtue of their having the Seals; so that they will want no patent or commission for that purpose. If I am mistaken in this point, I humbly pray your Lop will set me right; and that you will also inform me, what sort of constitution the Secretarys of State should give to those whom they shall think fit to entrust with the care of that Office; and, if they should be persons residing here, what deputation they are to give to ye person or persons that are to officiate for them at Edinburgh. I will not conceal from your Lop that the two Secretarys of State having determined to appoint each an under Secretary to be at the head of that Office, I shall come to be concerned in it: so that your favouring me with these informations will be more particularly an obligation to myself, who am with great truth & respect,

My Lord,
Your Lops most humble
& most obedient Servant,
CH: DELAFAYE.

I inclose a Letter from my Lord Duke of Newcastle to Maj^r^ Genl Wade; which his Grace desires you will forward to him by an Express.

No. CXXI.

The Duke of Newcastle to the Lord Advocate.

My Lord, Whitehall, Augt 24th 1725.

HIS Majesty, not intending for the future to have any particular Secretary of State for Scotland, has been pleased to remove the Duke of Roxburghe from that Employment; and ordered his other Secretarys of State to take care of the department that his Grace had. As, in my Lord Townshend's absence, that must lye singly upon me, I must beg your Lop will be pleased to send me from time to time such accounts as you shall judge to be for His Maj^ty^'s Service. It is a very great pleasure to me, that, in the execution of the King's Commands, I shall have the honour of your Lops Correspondence, and the happiness of your assistance; which will be the more necessary to me, who must be unacquainted with the Laws and methods of proceeding in your Country. I shall endeavour to supply those defects as far as I am able, by my attention to His Majesty's service; and to recommend myself to the good opinion of the King's faithfull subjects of Scotland, by promoting, as far as in me lyes, their interest and welfare; and pursuing those measures that may be for the honour & happiness of the United Kingdom.

I am, my Lord,
Your Lord^ps^ most obedient humble Servant,
HOLLES NEWCASTLE.

No. CXXII.

The Lord Advocate to Mr. Delafaye.

Sir,

I HAVE the honour of yours of the 24th, which I cannot help looking on as a favour; since it gives me an opportunity to show how willing I am at least to serve you, and how pleas'd I am with any thing that may turn to your advantage.

As

As to the nature of the Office of His Majesty's Signet in Scotland, it is pretty much of the same kind that Keeper of the great or Privy Seal is; but with this difference, that the common fees of the office are all the salary that generally is annexed to it; which fees are more considerable than those of either of the other Seals, because of the multiplicity of business that goes thro' that office; all process from the Court of Session passing under the Signet Seal. The proper business of the Deputy or under Keeper, as he is called, is, by himself or his servant, to affix the Seal to all Writings that pass the office; to keep the Records of that office in good order; to collect the dues of the Signet, and to account for them to the principal Keeper; and, since the Union of the Crowns, to dispatch to London, and receive from it, the Secretary's Packet, commonly called the black Box, in which all public dispatches, Warrants, &c. are contained.

As to the Constitution of the Office, the Signet does not properly belong to the Secretary's Office; tho', for time past memory, it has been annexed to it; but then it has been generally granted to the Secretary by a particular Commission under the great Seal of Scotland; and for your more perfect understanding the nature of such Commission, I transmit you a Copy from the Record of the last, which was given to the Duke of Roxburgh.

The Principal Keeper, being so appointed, constitutes a Deputy or under keeper by a Commission; a Copy whereof, I mean of the last given by the Duke of Roxburgh, I have also inclosed to you. If you and any person in my Lord Townsend's office are to be appointed principal Keepers, you have but to joyn in a deputation according to the form transmitted to you; but if the two Secretarys of State are made principal Keepers, you'll take care, in your Commission from them, to have an ample power of deputation, and of appointing all inferior Officers; that you may be able to choose fit persons for the service of the public, and for doing yourselves justice.

The value of the Office, in whole, runs, as I have been inform'd, from between £1500 to 17, or 1800 £. pr Ann; and the usual fee to the under Keeper is 100 £ certain, and one tenth part of the profits of the office, he being accountable for the remainder to the principal Keeper. As this under Keeper is the proper Officer through whose hand all the Secretary's dispatches pass, you doubtless will take care to pitch on a fit person for that trust; as well as on another fit person for a distinct office, called the Clerkship of the Signet, the fees whereof are a trifle, not exceeding 60, or 70 £ a year; which does not come out of the Keeper of the Signet's profits, but arises from a perquisite called drink-money payable to that officer.

If there is any thing defective in this account, I shall supply it as well as I can, when you are pleas'd to put me any fresh question.

I thank you for your goodness in sending me a Copy of the Magistrates of Glasgow's Papers. They begin to be insolent in hopes of impunity, which I cannot well imagine how they have conceived; but their tryal, when I am allowed to go on with it, will convince the world whether I have been in the wrong to them, as they willingly would have you, it seems, believe I was.

I do not trouble you with any account of the cure lately wrought on our Brewers here; who seem to have returned to their senses only because they saw that we had force enough prepared to bind them had they continued mad; since I know that Earl Ilay has, by a more expeditious conveyance, given an account of those matters to the Duke of Newcastle, who has laid them before the Lords Justices; and I am very hopeful, that as the direction of the affairs of Scotland is now in his Grace's hands, the madness of the people, which was pretty much encouraged by the countenance they met with from the friends of a certain great man, will cool, and that things will speedily grow quiet.

Since

Since Earl Ilay has wrote as I mention'd to you, it will be unnecessary for me to trouble you with any publick Letter by this Post, tho' I have received yours of the 26th.

I am, Sir,
With great respect,
Your most obedient & most humble Ser[t]

Edinb[r] 31 Aug[t] 1725.

No. CXXIII.

M[r] Scrope to the Lord Advocate.

My Lord, Sep: y[e] 2[d], 1725.

THE News w[ch] came yesterday by an Express from my Lord Ilay, of your having put an end to the confederacy of y[e] Brewers, gave great pleasure to every body here; & S[r] R: W: told me this morning, y[t] he would very soon write to you himself, to return you thanks for y[e] part you have taken in y[t], & y[e] zeal you have shewn in this whole affaire. I can't find but justice is done you in all Letters he hath received; & he is very sensible of every sort of difficulty you have to encounter wth. He told me, there was a Letter for me by y[e] express, but it's not yet come to my hands; how y[t] comes to pass I don't know. I believe you will not have a Secretary of State in haste.

I am, wth pfect truth & esteem,
My Lord,
Yo[r] most ffaithfull humble Serv[t]
J. S.

No. CXXIV.

Sir Robert Walpole to the Lord Advocate.

Dear Sir, London, Sept. 4th 1725.

I HAVE not hitherto troubled you, since you left this place, because you gave me leave to make use of Mr. Scrope's correspondence wth you; both to inform myself of what was transacting among you, and likewise, from time to time, express the great satisfaction I had in y[r] vigilance and ability, in strugling wth y[e] greatest difficulties * that a Man could possibly be engag'd in; but y[e] great prospect that their now is of succesSe in all y[r] endeavours calls upon me not only to congratulate wth you, but to return you my thanks for y[e] Zeal you have shown for His Majesties Service, and y[e] indefatigable pains you have taken to extricate y[e] Government out of the greatest difficulties; and it is hard to determine, whether y[r] zeal, abilities, or resolution, is most to be comended. But I hope now you will find y[r] work easier, and if y[e] alteration His Majesty has been pleased to make will tend at all towards facilitating y[r] future proceedings, it will be an additional satisfaction to me y[t] I have been able to contribute to y[r] convenience in advising what I thought absolutely necessary for His Majestie's Service. You will go on, S[r], to co-operate wth y[e] Justice Generall; & I doubt not but, by y[r] joint endeavours, we shall soon see all those black clouds disipated that so lately threatned storms & confusion.

I am very truly,
Dear S[r],
Y[r] most faithfull Humble Serv[t],
R. WALPOLE.

* The Riots at Glasgow on account of the Malt Tax.

No. CXXV.

The Lord Advocate to Mr Delafaye.

Sir,

AFTER the interruption of correspondence occasioned by my expedition to the Northern Parts of this Country, where by travelling I have improved my health beyond my own expectation, I return to my former practice of letting you hear weekly from me; which I take to be my duty, because it was my Lord Duke of Newcastle's command.

Whilst I was in the North Country I made severall small progresses into the Highlands; and what on my first arrival at Inverness I wrote to you concerning the tranquility of those parts, I can now confirm from my own observation. In the whole of my Journey I did not see one highlander carry the least bitt of Arms, neither did I hear of any theft or robbery.

The last Year's complaints and madness are very much stilled; and, from all appearances, I imagine the King's measures, pursued with common prudence, will produce Duty and Obedience where his enemies endeavoured to sow jealousy and disafection.

In my way I made some enquiry after the Popish Priests and their practices, which with justice gives so much jealousy to our Kirk. I look for perfect information in a few days against Seven or 8 of the most troublesome of them. My Lord Duke of Newcastle was pleased, before I left London, to say, that ane Order should be sent to me to prosecute them at the Publick Charge. If this has slipped his Grace's Memory you will be so good as to put him in mind of it, and it will come still in time enough.

Upon my arrivall here, I found every thing in the same quiet and tranquility as when I left it. The convention of Royall Burrows is next week to meet, in order to make their report to his Majesty in obedience to his late most gracious letter. I hope they will act as becomes Men so much indebted to his Majesty's goodness; but as I presume the Earl of Ilay, who is here, has acquainted the Ministers of any thing that may have hapned in this part of the Country worthy their observation, I shall not trouble you with any more on that subject.

I beg you will be so good as to make my most sincere compliments to his Grace: he will easily pardon me for not troubling him with a letter, since I wrote to you. If his Grace has any Commands for me, he knows my readiness to obey.

I am, Sir,

Your most obedient and most humble Servt.

Edinburgh, 29th October 1726.

No. CXXVI.

The Duke of Newcastle to the Lord Advocate.

My Lord, Whitehall, Septemr 9th 1725.

I HAD the honour of yor Lordps of the 31st of last month, and am very much obliged to you for the assurance you give me of your assistance in the execution of His Majtys Command with relation to Scotland. I am very glad I can now congratulate you upon the success with which your endeavours for His Majtys Service have been attended, in the happy prospect that we have of seeing very soon an entire end put to the disturbances that have of late appeared in so many shapes. As we are all here very sen-

sible of the part that yor Lord^{p} had acted throughout this whole proceeding, and of the ability and courage, that you have shewn to procure the execution of the Laws; yor Lo^{p} may be assured, that I shall transmit a faithfull account to His Maj^{ty} of your behaviour, which, I am sensible, you will think is the best Service I can do you. The Lords Justices are of opinion, that the prosecution of the four Brewers, who were committed, and were the principal Actors in the late combination, should be carryed on; & leave it to Lord Ilay and yor Lo^{p} to direct in what manner it may be most effectually done. I have at present nothing else in command from the Lords Justices to your Lord^{p}. I shall with pleasure receive whatever accounts you shall be pleased to send me of what passes in your parts of the Kingdom, and am with great truth,

My Lord,

Your Lo^{p}s most obedient humble Servant,

HOLLES NEWCASTLE.

Note.—After a short confinement, Government thought fit to release the Magistrates of Glasgow without bringing them to trial.

No. CXXVII.

The Duke of Newcastle to the Lord Advocate.

My Lord, Whitehall, July 16th 1726.

I RECEIVED with the greatest pleasure the favour of your Lo^{p}s Letter of the 7th instant, accompanying that in which the Lord Provost of Edinburgh inclosed the answer of the convention of the Royall Burroughs to His Majesty; and I laid it before the King; as also that which you wrote at the same time to Mr. Delafaye. I can assure you, His Majesty was extremely satisfyed with the good effect which the measure you suggested, of His Majesty's writing to that assembly, has had upon them; and that their Letter, and the turn of it, was very acceptable to His Majesty. The King has Commanded me to acquaint you, that the share you have had in contributeing to this good disposition in them is very acceptable to His Majesty; and His Majesty doubts not but you will be able to cultivate and improve it, to the honour and ease of the Government, and the quiet and welfare of the Country. I return you many thanks for the frequent accounts you take the trouble to send of what passes, and of the state of Affairs where you are, which the King reads with great satisfaction; and I beg you will be persuaded of the perfect sincerity and regard with which I am,

My Lord,

Your Lo^{p}s most obedient humble Servant,

HOLLES NEWCASTLE.

No. CXXVIII.

Edin^{r} 1st December 1726.

The Lord Advocate to Achnagarn.

Dear James,

YOUR Letter, dated from Balnagown the 24th of November, I received, and shall do what I can about it.

I am under some concern to find that our friend Sir John Gordon, of Enbo, is like to be drawn into the scrape about the false certificates of Arms in Sutherland. Some very

very foolish circumstances appear about his own certificate for upwards of three hundred pounds in the name of one Gordon, who is said to have been a Servant of his; but what wakened the Commissioners attention was, the intelligence they had, that he rode the first horse in bringing about the pretended examination before some justices of the peace in Sutherland, where affidavits were taken, contrary to former declarations. I wish Sir John had not meddled in that matter, because it has quickened the attention of the Commissioners, and may put them upon Enquiries that may be attended at least with trouble to him. They were advised to send for Sir John in custody, as they have done for others; but, upon my intercession, they have forborn to apply for any warrant of that nature at this time. I do not think it proper for me, in my present situation, to write to Sir John; but as I know you are his Friend, I beg you may as speedily as possible meet with him, and let him know what I now tell you, that he may deliberate well, and resolve what is fit for him to do. I have a strong inclination to believe Sir John is innocent; and if he is, I should think it well worth his while to take a trip this far to clear it, and to show the Commissioners that their treating him in a different manner from other People has a proper return. You will not faill to discourse with Sir John on this subject as soon as possible; and when you have done so, let me hear from you.

I am Yours, &c.

No. CXXIX.

To the Lord Advocate from ————.

My Lord, Edr: 14 Janr: 1726-7.

IN the hurry of important publick business, it were folly for private people to expect, that their little concerns should be much minded: therefor I write this only, that when occasion offers (wch may be sooner than is thought of) you may the better remember some things we talked of before you took journey; and I wish you may read it presently: it will not rob you of much time.

You know how uneasy it is to me that my nephew Ld Erskine waited not on Mr. Scrope, as I often wrote to him of it: he wrote to me again and again, that he wished to do it; and since he came to Scotland has frequently regreated that it was not done. In a few weeks he returns to London, & then will intreat you to introduce him to Mr. Scrope; and in the mean time, begs you to assure him of his humble respects; and I pray you do me the same favour. I hope it will not be thought unseasonable, but dutifull, when we are threatned with disturbance from the enemys of our King & Country, to mention my Ld Erskine's firm resolution to adhere inviolably to the present Government, and never to have any concern with the Pretender. He is just now with me, reading what I write about him, and I write it at his own desire; and he intreats you to do him the honor, in his name, to assure Sr Robert Walpole, and any other of the Ministry, that this is his sincere & fix'd resolution; and that he desires not to make his fortune any where but in our King's Interest and Service.

I have done all I could to discover whether he be sincere in this; and I do believe that he is sincere. If he should prove otherwise, it would be a double affliction to me; first to see him in so bad a way, and next that he had dealt so disingenuously and falsely with me. But I do not think he cheats me: I am cheated if a friend of his, nearer to him than I am, do not now fully acquiesce in his serving our King faithfully, & having nothing at all to do with the Pretender. It is my misfortune, that some of

my relations have been in the Pretender's interest; but it is my duty to endeavour that they may leave it; and that those of them who are entering on the World may be firmly attached to our King & his Familly; since I have allways done so, & acted for the present establishment. It would be a little hard to get me still in the shade of my jacobite relations, and, tho' I be of their colour, to look at me through a false medium, & then cry, I am not white. Ennemys do so, & no wonder: but sometimes friends, or they who at least are not foes, are pleas'd to act as if they were afraid of the litle clamour of Ennemys, though without foundation, & which they themselves can easily put an end to. Men of Power can do with honest people, in certain circumstances, as Kings can do with good metal on which dirt has been thrown; either stamp them into current coin, or else let them be thrown aside as of base alloy; and then, 'tis ten to one but they shall generally be deemed of that alloy; for few carry a touchstone to make the tryal, & fewer are at the pains to try a piece neglected as suspicious. Yet one would think that this faint clamour, thrown out by foes who can do no other hurt, is not really regarded; for we have seen even those who had been openly disaffected, push'd for[d] as fit to be trusted by the Government; and perhaps few, if any, will burden themselves to answer that they are better affected, to this hour. We have seen such actually trusted, & in favour; and whatever others have done, I'm sure the clamourers did so. Could they then pretend, that it should be worse with a man who was always well affected, but only has disaffected relations, whom he was never influenced by? this cannot hold in common reason, nor would it in the general oppinion of the world.

It is true, great men take not the trouble to consider the case of a private person who makes not himself considerable. If there be the appearance of an objection good or bad, it is easyest to have nothing to do with him. But Friends who have access to speak freely with great Men of his subject, can render them effectually attentive to it; and when the great Men have good understanding & experience (as at present), the task is less difficult; because they soon perceive the real import of things; and, when they are brought to consider them, are not amus'd with superficial appearances.

If it be too much for me to expect to be noticed, as one who in his low sphere has not deserved ill; yet I hope it is not an immodest request, that when my name casts up, I be not slurr'd as a person whom the friends and servants of the Government must be shy of, and keep at a distance. If I be otherwise used, whether on a pretended personal account, or on account of my Relations, the reall effects of it as to me, and the appearance it must give me in the World, will be much the same. Only when it proceeds from friends, or from those who are not Ennemys, with one's friends standing near and looking on, it must strike deeper and stick faster, and the unlucky person must appear to be *sans resource*.

This would make my case so singular, that perhaps there is not an other instance of it in Brittain; and, indeed, it seems to be a pretty strange case. If Jacobitism, or even torryship, prevail, I am to be undone for my own sake. At present, I must pass for a strange creature, whom it is not safe to give Countenance to, because of my Jacobite Relations; for this would offend those that know me not, and the Sq——y, who are Ennemys to me & to the present Administration. If that same Sq——y gets up again, I am still to be defeat, because they fancy those presently in power to be my friends. Perhaps some others know how to have good luck in all events; and these pretty fellows would tell me, that I am served as becomes an honest fool, who, by acting sincerely, leaves himself but one foot to stand upon; & when that faills him, down he tumbles, & must ly there.

I did

I did not think to have said so much on this Head ; wch speaking of my Nephew, Ld Erskine, led me to. You may the more easily pardon me, because I do not intend to trouble you again with it. Do with this as you think it requires.

Nothing remarkable in this Country has come to my knowledge since you left it.

My Dear Duncan, I am most faithfully yours.

No. CXXX.

Lord Lovat to the Lord Advocate.

My Dear Lord, Inverness, 2^d^ March 1727.

WHEN I had the honour to writ to you by the last post, and send you an information of the Riot that hapen'd last week at Ridcastle, I was very justly angry ; and if it was not for fear of the Laws and of my bread, I would have immediatly reveng'd the blood of my tenants and Kinsmen ; and the enclosed affidavits will convince your Lordship y^t^ I had very great reason to be in wrath ; but now y^t^ the first movement of Passion is over, I am well satisfy'd that the affair should be taken away in a fdly maner ; for I have no desire to be in blood w^t^ my nighbours ; tho' you may easily believe I do not fear all the Mackenzies on Earth, tho' I had none to assist me against them but my own Frasers and followers. Your Lordship knows both the Clans prety well. I have put the Affair into my Commander in Chief's hands, who will certainly consult you about it ; and I am ready to yield to any thing y^t^ is reasonable. I have writ to Culodin my thoughts of what I have observed in this town. I wish y^r^ Lordship better health than what we are told you have ; and I am, in all conditions of Life, as I still was, your Lordship's most faithful Slave,

LOVAT.

No. CXXXI.

Lord Balmerino to the Lord Advocate.

My Lord, Leith, 11th May 1727.

SOME Months ago I writt to my excellent friend the Earl of Loudoun, concerning a Remission to my Son Arthur Elphinston, to be obtained by the means of the Duke of Argyl ; but to this hour I have had no answer.

My Son James, several Weeks ago, writt to your Lordship ; and likewayes he has got no Answer from you. This astonishes me ; for, indeed, I would rather have a Refusal, than remain in this uncertainty. Considering how mercifull the King is, and how great the favour he has showen to some who were more Criminal (though his fault was very great), I cannot but hope that this which I so earnestly desire will be readily granted. But whatever be in this, I beg the honour of your Answer, that I may take measures accordingly. I am, with great truth,

My Lord,

Your Lordship's most humb^le^ Servt,

BALMERINO.

No. CXXXII.

Sir Hugh Dalrymple to the Lord Advocate.

D^r^ S^r^,

THIS, I own, looks very like ingratitude, to be so long in returning you thanks for your favour ; but I had many reasons for not writing till now, of which the thing

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called Protelation was one; & the uncertainty of ever coming back again, another. Before I went, I thought Bunchrew would be a very decent date; but when I was there, the place, the trees, the Firth, & Peter, were all my enemies; & I do not remember if I was in a capacity to write or no. From that time forward, the good people of Inverness & Murray were so exceedingly kind (if it can be called kindness to make a Man run the gantlet), that neither shame nor remorse had any effect upon me; & seriously, tho' I thought myself happy that neither your Brother John nor the Squire were in the Country, yet every body, I don't know how, took upon them to be Johns & Squires to me; &, for aught I know, I might have been cracking nutts till now, if I had been able. The fire about Aberdeen was not so intense; but, comparatively speaking, it was pretty smart: the Perth people are good enough for a brush and away; but the pleasures of the enchanted Island, the Ball, the Lucy Barbers, & the strange and surprizing adventures of Emperor Gausy, must be left to another time. I am in some hopes that this will not find you at London: it is but blushing a little more for an excuse, to make it here to you myself, coram Francy Farquhar and a dish of hard fish. But, as far as I can see, it is more convenient to be unthankful; for it makes me look sillier, to tell you that I never shall cease to be sensible of what I owe to you, than it would do to some people to fall asleep & forget it.

I am, D^r^ S^r^,
Your most Oblig'd & most Obedient Servant,
HUGH DALRYMPLE.

Ed^r^ May 30, (oh, shameful!) 1727.

No. CXXXIII.

Mr Delafaye to the Lord Advocate.

My Dear Lord, Whitehall, Novr 7th 1727.

I HAVE received the honour of your Lo^ps^ letter from Edinburgh, and was glad to find you were returned thither safe, & I hope in sound health, from your expedition to the Highlands, wch is now no more a Wild Country. My Lord Duke of Newcastle was so well pleased with the account you give of the disposition of things there, that he would shew your Letter to His Maj^ty^, to whom it gave a good deal of satisfaction. I ask your pardon for having omitted to acknowledge ye receipt of your return, which I immediately transmitted to the Crown Office. Matters here go as they did; the King very good and gracious to his Ministers and Servants, & all things very quiet. As to foreign affairs, I think we shall certainly have a Congress; France is prodigious honest and hearty; Rottembourg behaves like an Angel at Madrid; the Emperor & his Ministers are the greatest ———— in ye world, or else they are sincerely for pacifick measures; so that, tho' the Q. of Spain does still scold, that power must and will come into measures, tho' not with a good grace. The general talk is, that ye Parliam^t^ will not sit till ye 10th Jan^ry^, which I fear will retard ye pleasure I promise myself, of assuring you in person of the sincere & hearty respect wth which I have the honour to be,

My Dear Lord,
Your Lo^ps^ most humble
& most Obedient Servant,
CH: DELAFAYE.

I dined this Day wth My Lord Townshend, who is in a very bad way with his Rheumatism, & I fear will not get rid of it till Warm Weather comes in.

No. CXXXIV.

No. CXXXIV.

Mr T. Rawlinson to the Lord Advocate, dated Invergary, May 24th 1728.

My Lord,

AS I have not the honour of being known to your Lordship, I humbly beg leave to acquaint you, before I proceed to give you an account of other matters, that I have made a purchase (for myself and Company) of a considerable quantity of Wood in Glengary for the use of Iron works we are erecting there; and we fear not of having good success in our Business (which certainly will be of great use and benefit in this part of North Britain), provided we can peaceably enjoy the same; but I am extreamly sorry that I have occasion to acquaint your Lordship, that I have had two of my Servants murthered by a Villain in this Country, who I apprehended, with one of his Accomplices, on the 20th of the last instant; and because it is supposed (by my friends) that they may find means to make their escape out of the Gaiel of Inverness if they should be committed there, I am therefore favoured in having them confined in the Barricks of Kiliwhynnan till I am further instructed how to proceed against them. The Murtherer's accomplice (by name John Grant) hath confessed before Mr Fraser of Cudu-thall (a Justice of Peace), that their principle design was to rob and Murther me, and as they could not meet with me, they were resolved to rob & Murther some of my Servants. I have good proof against the Murtherer; but as for his accomplice, John Grant, I have no other than his own confession; and as the Murtherer is famed for a notorious and dangerous fellow, I should be glad to have him brought to his tryall as soon as possible; but if I am obliged to send him and his Accomplice to Edinburgh to take their tryall, I am informed that their Prosecution will be very expensive. But if your Lordship would be so kind as to give your Orders to the Sheriff of Inverness to try them there, a great part of that expence might be saved; and (with submission) if their punishment was directed to be upon the place where this murther was committed, I believe it would be a very terrifying example to our Rogueish Inhabitants: all which I most humbly submit to your Lordship's opinion; beging your pardon for the liberty here taken by,

My Lord,
Your Lordship's
Most Obedt humble Servant,
T RAWLINSON

P. S.—If your Lordship thinks it proper to honour me with your return to this Letter, to the care of the Post-master in Inverness, it will come safe to me.

Note —This Thomas Rawlinson, an Englishman, was the person who introduced the Phelie Beg, or short kilt, into the highlands. This fact, very little known, is explained by a Letter from Evan Baillie of Oberiachan, inserted in the Edinburgh Magazine for 1785.

No. CXXXV.

Lord Seafort to the Lord Advocate.

My Lord,

AS you gave me leave, when last I had the honour of seeing you, to let you know how my affairs went after you was gone; so I lay hold of ye opportunity with pleasure, because to one I value I impart where my grievance lys.

I was

I was last Tuesday to wait on Sr Robert Walpole, who desired, hearing what I had to say, y^t I wou'd put it in black and white, y^t he might shew it to his Maj^tie. Accordingly I did as order'd, and y^s morning went to receive his answer. He was, as usual, obliging; but what I required, he was sorry to let me know, was not to be comply'd with; since the King would neither allow any thing of y^t kind, or give orders to be confirm'd what his royal Father had granted before. On hearing this, I cou'd not forbear making appear how ill I was us'd. The Government in possession of the Estate, and I in the interim allowed to starve; tho' they conscious of my complying with whatever I promised to see put in execution: in fine, several other circumstances I took the freedom to insist upon, which he cou'd not but own was right. Now, my Lord, you being my sincere friend, I the more candidly lay the case before you, that by your usual prudence you may fall on such methods [as] will be thought most proper, towards contributing to what may tend to ye mutual satisfaction of all concern'd. For as ye way I am now in is most disagreeable, consequently, if not rectify'd, will chuse rather to seek my bread elsewhere, y^n continue longer in so unworthy a Situation. I writ to Mr. Cowper last post, to wait upon your Lop to receive your orders how to behave, for making all things easie for a seale. I beg you'll give your directions, since what your Lop says will be a law to me & mine. I have several other things to enlarge upon; but your time I know is precious; therefore, will presume no further, than to beg you will honour me with a return, y^t accordingly I may take my measures, and fully convince ye whole World how ready your instructions are obey'd by,

My Lord,
Your Lops obedient
humble Servant,
SEAFORT.

June ye 27, 1728.

No. CXXXVI.

The Lord Advocate to the Laird of Culloden.

Dear Brother,

SINCE my last, we have had no division, nor indeed so much as scolding, till yesterday. The Committee of Supply was opened; a supply voted to His Majesty; the estimates for the current year's Service were delivered in, and 15,000 Seamen voted; but when the question for continuing the same number of Land forces as last year was yesterday moved in the Committee of Supply, Poultney took occasion to make a popular declamation against the Ministry and their measures, in terms scurrilous enough; the language, indeed, of the Craftesman. This met with a very long Answer from H. Walpole, who went throw the whole course of the Negociations; and with ane exceeding smart one from Sir Robert, who exerted his usuall spirite; and after a run of Discoursing which lasted, without much force or method, till near 8 at night, the Committee Resolved to keep up the Land forces, without a division. I still believe, as I told you in my last, that, contrary to the expectations of all the world, we shall have no great matter to do this Session. Sir William Windham, and some more J———s, are gone out of town. Gen. Ross is lying-in of the Gout, but is now mending. Geo. Clerk touches you in a bumper as usuall. I am, Dear Brother, Yours; tho' uneasy that a Week has past without hearing from you.

London, February 1st, 1729.

No. CXXXVII.

Lord Lovat to Mr. John Forbes.

My Dear Laird of Culloden,

I HAD y^t^ honour of your letter late last night from my Cusin Relick, and I am heartily sorry to understand y^t^ you are out of order. I hope this good weather and ye good air about Culodin will soon recover you. I dare freely say, there is not a Forbes alive wishes your personal health and Prosperity more affectionatly and sincerely than I do; and I should be a very ungratful man if it was otherways; for no man gave me more proofs of Love and frdship at home and abroad than John Forbes of Culodin did.

As to what service I ever can do to you or yours, you should truly command me as much as you would do Peter Forbes, and not ask favours; for it never will be in my power to return ye hundreth part of favours and frdships I have personally receaved from you; since it is more owing to your person than to any man I know, y^t^ I am now in this place in any condition to serve you.

As to carrying ye Lime to Lovat, I shall do more in it than if it was for my own use. I shall give ye most pressing and precise orders to my officers to send in my tenants' horses; and to shew them the zeal and desire y^t^ I have to serve you, I shall send my own labouring horses to carry it, w^t^ as much pleasure as if it was to build a house in Castledownie. I hope to have ye honour to pay my duty to you tomorrow or next day, and receave y^r^ Commands for Ed^r^; and I beg you may believe y^t^ I shall be, while I live, both sensible and thankful of all the great marks & proofs of frdship y^t^ I have received from your person, even from ye beginning of my troubles to this hour; and y^t^ I am, with great Affection, Gratitude, and Respect, my d^r^ Laird of Culodin, your most faithful Slave, while

Beaufort, 28th May 1729. } LOVAT.

My Wife and my Bearns are your faithful Serv^ts^, and assure you of their humble duty. She is not yet deliver'd of her burden; if it is a boy, he will be a Servt to y^r^ family.

No. CXXXVIII.

From the same to the same.

My Dear Laird of Culodin,

IT is w^t^ great joy I hear from others y^t^ your health is much better than when I saw you last. I wish w^t^ all my soul you may for many yeares injoy perfect health and Strenth; for I'le never see a Laird of Culodin y^t^ I love so much, or will do so much for me as you have done in my greatest trouble and distress; and I would be guilty of ye greatest and blackest ingratitude if I did not love and honour your person and concerns. With all ye other proofs I have of your goodness, I beg leave to put you in mind of your promise, y^t^ whether it is a lad or a lass y^t^ my Wife gives me at this tyme, you will do me the honour, sinc I cannot be present myself, y^t^ you will hold it up to receave the Holy Water of Baptisme, and make it a better Christian than ye father. I expect this mark of Frdship from my d^r^ John Forbes of Culodin. I dô assur you, y^t^ I never saw y^r^ B^r^ Duncan look better: he is very well recovered. General Wade is to be here on Saturday, and to stay at least three weeks in ye Canogate.

Y^e Duke of Argyle is to be here this month, and ye E. of Hay in ye next month; and he will get his handful to do to settle this city, which they tell me is as much in factions and divisions as ever.

Every body expects we shall have a War very soon, which I am not fond of; for, being now grown old, I desire and wish to live in peace w^t all mankind, except some damn'd presbyterian ministers who dayly plague me. I am very busy in my Law-suit, and I hope to get it ended this Session; and their is no appearance of my loosinge of it. I gave a Bottle of Wine to Caberfey, w^t the Young Lairds of Kilraak, Huss, and Kilcowie; and we had ye honour to drink your health heartily. When you have a spare hour I beg to hear from you, w^t an account of your health, which by G—d is very dear to me; for I am with great affection, & a gratful respect, My d^r Culodin, Your most faithful Slave,

Edin^r, 19th June, 1729. } LOVAT.

Your Br. Duncan is very anxious about my cause, which I beleve you will not be angry at him for: he has a very good opinion of it, as all my Lawiers have.

No. CXXXIX.

LETTER from the Queen, settling the Precedency of the Courts of Justice in Scotland.

By her Majesty the Queen, Guardian of the Kingdome, &c.

CAROLINE, R. C. R.

FORASMUCH as we have been informed, that doubts have frequently arisen between the Senators of his Majesty's Colledge of Justice, and Barons of His Exchequer, in that Part of His Majesty's Kingdome of Great Brittain called Scotland, concerning their Rank and Precedency; and wee are willing to prevent any uneasiness or Disputes between the Members of two bodies so highly intrusted by his Majesty, and of so great use and importance to his service, and to the good Government and welfare of his people: Therefore wee doe, in his Majesty's name, by these presents, appoint and Ordaine, that you the President of his Majesty's said Colledge of Justice shall have the first place, and on all occasions shall take rank and have Precedency of the Chief Baron of His Majesty's Exchequer there; and the said Chief Baron shall continue to take rank and have Precedency of the remanent Senators of His Majesty's said Colledge of Justice; and the remanent Senators of his said Colledge of Justice and Barons of His Majesty's Exchequer shall take place of each other, according to the date of their Commission or appointment to their respective offices; that is to say, That every Senator of His Majesty's said Colledge of Justice, whose Commission or Appointment to his said Office is of ane elder date, shall take place and have the rank and Precedency of and above all Senators of His Majesty's said Colledge of Justice and Barons of His Majesty's said Exchequer whose Commissions or appointments are of a later date; and that every Baron of His Majesty's said Exchequer, whose Commission or appointment is of ane Elder date, shall in like manner take place, and have the rank and Precedency of and above all Senators of his Majesty's said Colledge of Justice and Barons of his Majesty's said Exchequer whose Commissions or appointments are of a later date: And if it shall happen, that the Commissions or appointments of one

of the Senators of his Majesty's said Colledge of Justice and one of the Barons of His Majesty's said Exchequer shall be of the same date, then the said Senator shall take place and have rank and Precedency of and before the said Baron. And this wee doe, in His Majesty's name, ordain, appoint, and establish to be the constant and unalterable rule and order in this respect from henceforth in all time comeing. Provided always, that the same shall not extend to deprive any Peer of his Majesty's Realm, or the Son of a Peer, or any other whatsoever enjoying any of the above mentioned Offices, and haveing rank and Precedency by reason of such his Peerage or Birth, or on any other occasion not relative to his office of Senator of his Majesty's said Colledge of Justice or Baron of His Majesty's said Exchequer, from bruikeing & enjoying such rank or Precedency, any thing in these presents to the contrary notwithstanding. And so wee bid you heartily farewell. Given at the Court at Kensington, the twenty-fourth day of July 1729, in the third year of his Majesty's reign.

By her Majesty's Command,
(Signed) HOLLES NEWCASTLE.

No. CXL.

The Duke of Newcastle to the Lord Advocate.

My Lord, Kensington, July 25, 1729.

HER Ma^ty having received private intelligence, that there was reason to believe, some design was carrying on in Scotland in favour of the Pretender, and that several of his Adherents were lately gone thither from Rome for that purpose; Her Ma^ty has commanded me to send you notice of it, knowing so well your Zeal for the King's service, and your dexterity, that Her Ma^ty does not doubt, but if any thing of this kind should be in agitation, your Lõp will be able to discover it, and take the proper means to prevent it.

Your Lõp will particularly inquire whether any of the Pretender's followers are lately come from abroad into Scotland, and upon what account; and acquaint Her Ma^ty with what you shall be able to learn on this head, and with any other information you can procure relating to it.

I am, with great truth and regard,
My Lord,
Your Lõp's most Obedient humble Servant,
Lord Advocate. HOLLES NEWCASTLE.

No. CXLI.

The Lord Advocate to the Duke of Newcastle.

My Lord, Inveraray, in Argyllshire, 5th August 1729.

THIS morning I received at this place the letter your Grace did me the honour to write to me of the 25th of July, acquainting me with the Intelligence her Majesty has received, that some design is carrying on in Scotland in favours of the Pretender, and that several of his Adherents have lately come from Rome hither, and desiring me to employ all the Industry I can to discover what truth may be in these Reports; and particularly to inquire whether any of the Pretender's adherents have lately come from abroad into Scotland, and upon what account, and to acquaint her Majesty with what I may learn on this subject.

 I cannot

I cannot take upon me at present to say any thing positive to your Grace, further than that I shall employ all the skill & industry I am able, to give her Majesty satisfaction in respect to the things she desires to be informed of; and that, to enable me the better so to do, I shall make the very midle of the highlands my way from hence to Inverness, where I shall probably meet with some Notice of what your Grace writes about, if the Highlanders know any thing of the matter; and what I learn your Grace shall be acquainted with. But in the mean time I shall take the liberty to offer what occurs to me according to the lights I now have.

Tho' I have not hitherto had any suspition of what the advices her Majesty has lately received bear, yet in the ordinary course of my duty I have, since I came last into Scotland, been attentive to the countenance & behaviour of the disaffected; and if I can at all judge, those about Edinburgh & in the Southern parts have no sort of prospect in their heads, and have not hitherto so much as heard of what may have been contrived abroad; tho', to be sure, they soon will if there is any thing real in it.

I have not heard that any of the Pretender's adherents have lately come into Scotland from abroad; neither do I know of any that have come over this year, excepting my Lady Southesk, who came over by His Majesty's permission; & Mr. Fleeming, brother to Earl Wigton, who has lived in France upwards of twenty years, and came over last Winter, at his Brother's desire; as I have been told, with a design to be married, in order to keep up the family; the Earl having no Children of his own to succeed him. This Gentleman was, I believe, concerned in the late Rebellion, but was not convicted or attainted. Her Majesty has been acquainted, that Mr Stewart, late of Innerñity, and two or three other attainted persons, came over to Scotland in his late Majesty's reign, in hopes of being pardoned; and that having made application to the Crown by Genl Wade, who had instructions to receive the submissions of such as seemed well disposed, they were permitted to live privately in the Country, where they still remain very quiet and peacible.

I cannot at present think of any other of the Pretender's adherents who came from abroad without previous leave into Scotland, except Gen^{ll} Gordon; he indeed has been in this country upwards of three years; and your Grace may remember I acquainted you with his arrivall at the time; with this Circumstance, that he declared it to be his intention to live his remaining days peaceably at home; and that tho' he was secure by the Laws, yet if his being in Scotland gave any umbrage to the Government, he would instantly return into a voluntary Exile; desiring me at the same time to give your Grace notice of his arrivall and intention, which I accordingly did. The Man has since that time lived inoffensive, so far as I can hear, at his house in the Country.

These particulars, which are all that at present I can recollect, I trouble your Grace with.—If the most carefull inquiry can produce any further Intelligence, it shall be laid before your Grace. If I wanted any spur to quicken my diligence in discovering and preventing any mischief that may give the least disturbance to the Government, Her Majesty's good opinion of my zeal for the King's service is more than sufficient to stirr up all the activity and attention I am capable of.—I am with very great respect & sincerity,

My Lord Duke,

Your Grace's most obedient & Most humble Servt

No. CXLII.

No. CXLII.

From General Wade to the Lord Advocate.

From my Hutt at Dalnacardock,
August ye 27th 1729.

Dr Sir,

YESTERDAY I had an express from the Post Master of Edinburg, with an enclos'd from the Duke of Newcastle, of a very old date, which by neglect was detain'd at the Post Office at least a fortnight.; the letter being dated the 7th of August from Kensington.

His Grace informs me by her Majesty's Command, that they have advice, that some of the Scotch who were with the Pretender are comeing home, in order to carry on some designs in his favour; ordering me to endeavour to discover and secure any such persons whom I may apprehend to be concerned therein, and to prevent any attempts or practices against his Majesty or his Government. He tells me likewise, that he has written to your Lordship on that Subject; and I suppose your letter may have been detain'd as mine has been. I have wrote to Willy Grant, to be vigilent towards Gordon Castle, and to observe Glenbucket's motions, who I think a dangerous Fellow, and who I believe will be ready to play the fool if he is any way encouraged by the Agents from Abroad. I think the Troops are so disposed, that nothing can give us any sort of trouble, unless with the assistance of a foreign force; which makes me very easy and free of all apprehensions from the jacobite quarter. I shall leave this place this day se'nnight, stay a day or two at Fort William, and as long at Killyhunnen; and propose to be at Inverness about ye 10th or 12th of the next month; when I hope to have the pleasure of kissing your hand; being with the greatest sincerity

Your very faithfull humble Servt
GEORGE WADE.

No. CXLIII.

Lord Advocate to Genl Wade.

Dear Sir,

WHEN I was at Inveraray, I received from the Duke of Newcastle a letter of the same Import, with what you tell me, in yours of the 27th of August, you had from his Grace. I immediately returned an Answer, That from the observations I had made, since my Arrival in Scotland, upon the Countenance and Conduct of the Disaffected, it appeared to me they did not at that time know of any project to give Disturbance, or of any Emissaries from Rome being come among them. But I promised, in my way through the Highlands, to be as attentive as possible to the motions of those people, and to report with greater Certainty on my arrival in this Country.

In my progress from Argyleshire through Lorn, Mull, Lochaber, &c. I have been as inquisitive as prudence could permit; and I have the answers of some Letters which I wrote from Inveraray to Edin^r upon this Subject; and the result of all confirms my former Opinion, That no Emissaries are hitherto come into Scotland; at least, that the Highlanders have not any knowledge or Expectation of their coming; and this I am resolved by the next post to signify to his Grace.

It was because I took it for granted, that You had the same Directions as I had, that I did not attempt to send you Notice of what was wrote to me, notwithstanding the difficulty

ficulty of coming at You, from the part of the World in which I then was. But, as I believed you had the same advice, and would readily frame the same Opinion of it, I thought it unnecessary to say any thing on the Subject till Meeting.

I was so damnably tired of the Highlands, that I durst not venture on your mines. The History of me you will meet with in your Travels; I long to hear Yours. Never was penitent banished into a more barren Desart, to suffer for his sins, than what you have suffered in since your Confinement to Drumochlter. I hope, however, you have got safe out of it, and that this will find you in full Vigour of Mind and Body. I beg you may be so good as to direct John Baillie, who will deliver you this, to let me know when I may expect to see you at Inverness, since you do not intend to be long at Killiewhinnan. I am, Dear Sir, Your most faithful, &c.

D. F.

Bunchrew, 3d Septr 1729.

No. CXLIV.

The Lord Advocate to the Duke of Newcastle.

My Lord,

I HAVE the honour of your Grace's Letter of the 2nd Inst; and wt it the greatest pleasure in observing, that the Accounts I transmitted to your Grace, in mine of the 5th of August, were satisfactory. Since that time I had the Honour to acquaint your Grace, from Inverness the 5th Inst,* what I observ'd in my Travells through the Highlands; and I hope that also has proved to your Liking, as it confirms pretty much what I wrote formerly from Opinion only.

As, in Obedience to her Majestie's Commands, I was resolved to make all possible inquiry into the Truth of those reports that had reached her, touching Designs carrying on in Scotland in favors of the Pretender, I made a Trip, since my last, through Stathearn to Badenoch; and from thence, cross the Country, to Gordon Castle. I have likewise found occasions of conversing with Gentlemen from almost all those parts of the Highlands where I have not been; and I am very glad to be able to assure your Grace, that, from all the Observations I could make, what I formerly wrote to your Grace is confirm'd, That there is not any project at present stirring in favours of the Pretender; that no Agents from him have lately come among them; and that if any one sent, the Highlanders hitherto know nothing of it.

I propose yet to stay some days in this Country, and to make a different part of the Highlands from what I have already pass'd my way to Edinburgh, if the weather permit. If in that Expedition I can discover any thing further worth your Grace's notice, I shall have the honour to acquaint you with it. I am, with the most sincere Regard and Duty,

Your Grace's most Obedient & most faithful humble Servt,

Inverness, 26th Sept 1729. DUN. FORBES.

To the Duke of Newcastle.

* This Letter does not appear in the Collection.

No. CXLV.

No. CXLV.

The Lord Advocate to Sir Robert Walpole.

Dear Sir,

I HAD your Note of 9th Instant inclosed with my Lord Duke's. It did me Good tho' very short, because it shew'd me that my friend was well. I heartily thank you for your Mindfulness of the getting in the presentation to the Living of

By this post I have acquainted the Duke with my further Travells through the Highlands; which confirm me in the Opinion I formerly was of, that there is not at present the least thought among them of any Design in favour of the Pretender; and if any such thing should be set a foot, I am satisfy'd it could not long be kept Secret, nor with any hopes of success supported, considering the present situation of the people, and of the Troops.

His Majesty's happy and early arrival from beyond Seas, spreads an Opinion, that the Parliament is to sit before Xmas, a thing that I should be sorry for my own Particular to see; but which, if it should happen, I ought to be prepared for. Pray, Dear Sir, be so good as to inform me what you know of this, when you find a Minute's leisure. I am, Dr Sir, with perfect Esteem,

Most faithfully Yours,

Inverness, 26th Septr 1729. DUN. FORBES.

No. CXLVI.

Genl Wade to the Lord Advocate.

Dated Edinburgh, October the 2d, 1729.

Dear Sir,

I HAD the pleasure to receive yours of the 26th Septr at Coll James Campbell's, who was so kind to give me good Quarters for two days on my way hither. On the day after you left us at Ruthven, the Knight and I travelled in my Coach with great ease and pleasure to the feast of Oxen, which the Highwaymen had prepared for us opposite to Lock Gary; where we found 4 roasting at the same time, in great order and solemnity. We dined in a Tent pitched for that purpose; the Beef was excellent; and we had plenty of Bumpers, not forgetting your Lordp and Colloden; and, after three hours stay, took leave of our Benefactors the Highwaymen, and arrived at the Hutt before it was Dark.

The 5 dayes I continued there set me upon my leggs again, and enabled me to take a second Survey of the projected Road between Dalnacardock and Creif, which is to be the work of the next Summer.—I am very thankfull to you for your kind mediation of the treaty between her Grace and me.—I supp'd last night with Ilay at Lady Milton's, who, I found, had been informed of the whole affair, and of our Court of Judicature held at Ruthven, and disaproved of none of our proceedings, except the last; in which, he said, he thought I had acted with too much lenity, or to that purpose. The Knight of the Bath is much your humble Servant; but more Colloden's, for he never fayles to remember him in a Bumper; though, in the main, I have interposed between him and the Bottle, and kept him sober ever since we parted. I wish you had as much influence over Colloden.

The last post brought us no news. I shall go from hence on Monday Morning, and propose to be in London the day after the birth-day.—I have not yet the honour of her

Grace's

Grace's Letter. If you happen to see Willy Grant, desire him to lodge the Armes that were taken from her Grace's tennants in the Castle of Inverness.

I am, Dr Sir,
Your very faithfull & most obedt. humble Servt,
GEORGE WADE.

No. CXLVII.

Mr Murdock to the Lord Advocate.

My Lord, Orleans, 24th June 1730.

I HAD the honour of your Lordship's of the May some days ago; which was the more refreshing to Mr. Forbes & me, that it had been so long expected; though the multiplicity of Business you have upon your hands during the Session of Parliament, and, which we hear of with the greatest concern, your still unconfirmed state of health, were but too good reasons of your silence. The apprehension your Lordship has been under, that his head might suffer by some civilitys he met with on the road will be over, when I assure you that any vanity of that sort is not his foible: on the contrary, if he were fit for it, I should think the very best Company to which he could have admittance the properest for him. This would inspire him with a certain ambition of a polite and manly behaviour, which he wants as much as any thing, and which is no where else to be learned. As for study, properly so called, from several Experiments we have had sufficient leisure here to make, I find no such thing is to be expected of him: he is ever ready, in very good earnest, to own the necessity of redeeming the time he has lost, and to enter into resolutions and schemes for that purpose; but the issue is generally such as satisfy's me there is a want of power more than of will; and indeed when one cannot conceive things with that ease and distinctness as to take pleasure in contemplating them, how is it possible the attention should be engaged to any purpose? The next care is, that if he is not distinguisht, he may at least be easy to himself and others, in Society; and that he be not remarkably defective in the ordinary accomplishments of a Gentleman who does not pretend to be a Scholar; and this I doubt not he will be able to compass. His inclination runs chiefly upon the Army, which I had lately an occasion of discovering. He had read in the Gazette, that there was some appearance of a War, and that some of the British Troops were in that case to be sent abroad. Upon this he took a resolution, if the War was of any continuance, to join them some time at least before their return to Britain; "for," said he, "I shall by this means have an opportunity of learning something of the trade; and of enlisting myself with a better grace, than I could afterwards do at home." This notion he was so full of, that if some other Newspapers had not spoke of the thing as doubtful, he would certainly have before now wrote to your Lordship himself about it. In the mean time, he is, upon his own proper motion, taking a lesson of Fortification and Gunnery once a day; besides what French we have read for the sake of the language, and some attempts to recover the Latin, cast Accompts, write English, &c. We lighted on a very good Book, called "La maniere d'Enseigner et d'Etudier les Belles Lettres, par Rollin," containing, amongst other things, extracts of some of the best passages of the Greek and Roman History. These he read once and again with pleasure. He is now busy with the History of Louis 14e. This your Lordship may possibly think preposterous; but that period is so remarkable, and is so much the subject of conversation, that it was necessary he should look into it as soon as possible. Besides, a course of History that is tolerably complete being too large an undertaking for

for us; and one that is not, so imperfect and unentertaining; I thought the best way would be to pick up the most useful and remarkable passages, and connect them into a sort of body afterwards. For Learning, or Learned Men, there is scarce such a thing to be heard of in this place. The fathers are all busy in their Shops, and the Sons at their diversion; and, except a Family or two where we pay a visit once a Week, we have little more acquaintance than when we came here. There is a sort of Theatre too for some time past, where Racine and Corneille do penance; Harlequin comes off on better terms. In two months or so, we may, if your Lordship pleases, be steering down the river, which will be the easiest and cheapest way of moving towards our winter quarters; and we will at the same time have an opportunity of seeing several places worth while by the way. Mr. Forbes offers his affectionate and humble duty; and I remain,

My Lord,
Your Lordship's most obedient humble Ser[t];
PAT. MURDOCK.

No. CXLVIII.

Lord Lovat to M[r] John Forbes.

My Laird of Culodin,

I AM persuaded y[t] you will be very well pleas'd to know y[t] I bless God, I have this afternoon gained my cause, two to one. Ther was but four Votes upon y[e] Bench against me; Dunn, Roistown, Newhall, and the Justice Clark, who shewed his spite to y[e] last, but to little purpose; the eight for me are, the President, Grange, Cowpar, Miltown, Drumore, Minto, Muny, and Henning. * * * * * * * said, he would not vote in y[e] cause, and Poltown was * * * * * * * * * *; but what he spoke was for me. The Speakers on my side were, Grange, Drumore, Miltown, and y[e] President; and I am told, that they beat to pieces all y[e] arguments y[t] Roistown, Dunn, and Newhall advanced. In short, I have gained it w[t] honour and advantage. I cannot tell you how much I owe to Duncan; but I can freely tell you, y[t] he was full as sanguine in it as if it had been your Cause; so y[t] since he was His Majesty's Advocate, he never took so much pains in any cause every manner of way. I hope he has now established a family y[t] will be forever faithful to the Rooftree of Culodin; and I beg y[t] you may believe y[t] there is not a Forbes come out of your family y[t] loves and respects you more than I do; and y[t] I am while I live, with zeal and affection,

My Dear Laird of Culodin,
Your most obedient and most faithful Slave,

Edin[r] 2[d] July 1730. LOVAT.

No. CXLIX.

M[r] Scrope to the Attorney General.

Sir,

IT being his Majesty's pleasure, that every the estate reall and personall of Coll[l] Charteris, w[ch] became forfeited to the Crown, upon his being lately convicted of a Rape, shou'd be granted and restored to him: The Lords Commissioners of his Majesty's Treasury desire you to give Warrants to the Clerk of the Petty Bagg, to make forth so many Commissions as you shall judge necessary to be passed under the great seal of Great Brittain, and to be directed to such and so many particular persons as shall

shall be approved by you, to enquire and find, by the Oaths of Good & Lawful Men, the reall and personall estate which became forfeited to the Crown as aforesaid, and to make the said Commissions returnable *sine Dilatione*.

I am, Sir,

Your most humble Servt,

Treasury Chamber
ye 14th day of July 1730.

J. SCROPE.

Mr Attorney Generall.

No. CL.

The Lord Advocate to Mr. Scrope.

Dr Sir,

YOUR kind Letter of the 28th of July was a great Cordial to me; it came just in time to relieve me from some suspicions which your silence for a month or two began to create. I do assure you, in my present situation there is occasion for some encouragement to keep up my spirits; since the scene, whatever corner I look to, is so disagreeable; and since, in place of finding anybody ready to co-operate to mend it, I meet with rubbs and obstacles from those whose concurrence I ought to expect.

The imminent distress, from the condition of our Revenue, has now for some time possest my attention; the Customs, from the defects of the Law, from the corruption of Officers, and from the perverseness of jury's, are fallen to nothing; and never can by any art be raised, till those complaints are removed, which must be the work of some time, tho' our disease seems to demand a more speedy remedy.

The Excise, tho' not under so correct management as formerly, seems to be the only revenue from which we can look for any immediate relief; but unless it is put on a better foot, we cannot depend upon it's answering any immediate purpose.

It is an obvious reflexion, to any one that knows what immense quantitys of Brandy are drunk in this country, and that it is commonly sold at 2 shillings a gallon, that the Excise must be greatly affected by the excessive use of that liquor; at the same time, that the price of grain is beat down to nothing by it, which is a very sensible loss to the men of estates, whose rents are almost universally paid in grain; as well as to the farmers. This observation led me to think, that if the people generally could be made sensible of their interest, as they are not a little national, it might be possible to work them up to some popular resolutions against the use of run Brandy; and if that could be brought about, at the same time that it must improve the excise, it might help to give our jurys in general a different turn of thinking from what hitherto they have had touching the running trade in general.

Possest of this opinion, I became Author, and published, against the meeting of the last Convention of Royal Burrows, the Paper which is enclosed, and seconded that conceit so well, as to procure from that Assembly the Act and Resolution which is printed at the end of the Paper. The resolution was unanimous, tho' my Friend Rob. Dundass opposed it with his usual Zeal; but, finding the tide too strong, he submitted, without a division.

The Design was, after a publication in this manner of the sense of the representatives of all the Burrows, to bring in each Brugh in particular, and the Gentlemen in the several Countys, to Resolutions, after a day certain (Christmas for example), not to use any foreign Spirits; nor to use any Inn or Tavern while any such are sold; but to give all assistance in their power, in their several stations, to the seizing and destroying it, and I still entertain very strong hopes that this may be accomplished; which

must necessarily raise the excise on Beer and Ale, and Spirits, some thousand pounds.

One would have thought that a project of this kind must have been very palatable to the great Man that governs us here; what he says of it you must know better than I; but his agents here seem rather to fling cold water upon it: whether that proceeds from its being disliked by their Chiefs, or from it's being a Child of mine, I cannot tell; only give me leave to tell you that it mortifys me not a little, to see power (at least in the opinion of the people) in the hands that do not employ it for the Publick service, when it calls so loudly for assistance.

I have set on foot and carryed throw to the purpose above mentioned, a Resolution in the County of Midlothian; the like is a carrying forward in the neighbouring Countys; and I am now in my Journey northwards in order to propagate the same spirite over that part of the Kingdom if I can. What effect it may have I cannot tell, because I find myself almost alone in the attempt; but I hope the design will meet with your approbation; and that Sir R. will think that, though distant from him, I am not unmindful of his interest, which I take to be more concerned in the fate of our revenues than he is aware of. You will be so good as to explain this matter to him, as far as your think proper; since, in the enclosed Letter, I do but just refer him to you for information touching this project.

The intent of the letter which I beg you may deliver to Sir Robert is (pursuant to leave which he gave me at parting), to put him in mind of 2 Articles of the Memorial I left with you; vizt. those about the family of Gordon, and the E. of Seafort: it is shame that what was promised by the Queen, as well as by Sir Robert, above a Year ago to the Dutchess of Gordon, is not yet done; and as I must see that Lady very soon, unless I have something to say to her about it, I shall lose all the credite by which I could do any thing good for the publick service in that Neighbourhood: therefor I am very earnest, that, without loss of time, Sir Robert should settle that article, and let me know what is done.

As to the request for Seafort, which was a Pension, Sir Robert had some doubts about his success with the King; and whether he has made any step in it since, I know not; but there is a circumstance cast up of late, which claims the execution of a promise he made some time agoe, in which I hope there will be less difficulty: the estate of Seafort owed for several Years few-dutys to the Crown; which now rise to a considerable sum, and will be payable out of the price of the Estate which is sold. A Grant of these to the poor Man, or to any trustee for him, would be a vast relief to him and his Children in their present Circumstances; and as this takes no Money out of the Treasury, I should flatter myself it may without great difficulty be obtained. Your assisting to help forward this charitable purpose will be extreamly obliging to me.

I spoke to you, before I left London, of the appointments of the Clerks of Delegates, whose business is now almost at an end, They have served hitherto without any sallary, and the Court who employed them begin to be uneasy. I am the person they dayly worry and teaze about them; and therfor I must insist with Sir Robert, to make them some reasonable allowance.

I am frequently entertained with the strongest Pannegiricks imaginable of you, by my worthy friend Co^{ll} Charteris: he swears nothing less than a divinity can forgive Injurys so readily, and delight so much in doing good. He flatters me with imputing some part of your good nature to him, to my intercession; and insists I should return you thanks. My Brother is here with me, and commands me to tell you that fow and fasting he is equally yours.

I return you thanks for your care of Poor Niven, and of every other thing that concerns me. The only further request I have to make is, that you will be so good as pardon the length and ill writing of this Epistle; and if you can find leisure enough to tell me that you have forgiven me, and how you like the Work that I am about, it will greatly add to my spirites.

I am most faithfully yours.

Perth, 11th August 1730.

To John Scrope Esq[r].

No. CLI.

The Lord Advocate to Sir Rob[t] Walpole.

Sir, Perth, 11th August. 1730.

I PROFITE of the allowance you gave me, to write to you from this Country touching certain Articles of the Memorandum I left with you when I took my leave.

I hoped to have heard before this time of the £1000 pension intended for the Dutchess of Gordon, and in effect promised last year by the Queen. As I go now into that Country, I shall look very simple, not being able to say any thing certain about it; and shall be incapable of making that use of his Majesty's Bounty in that part of the Country, which, were the pension granted, might be made of it. If the thing succeed, as I hope it will, My Lord Peterborrow is to be acquainted with it, and M[r] Scroop will let me know of it. The next thing I am to trouble you with is, the request in behalf of the late Earl of Seafort: A Pension, you know, was prayed for; but now, I am to put you in mind of a thing that you was so good as to promise, some time agoe, and that will perhaps be more easily obtained. The estate is sold by the Barons of Exchequ[r] and the few-dutys (that is, Crown Rents) due out of it have been in arrear for many Years: these now amount to a Sum, and will become payable out of the price of the estate. If the poor Man could have a grant of these from his Majesty, it would be a great relief to him and his family: the favour asked is what the King dayly grants in other Cases to his subjects; and as it takes from you no money that hitherto you have in possession, I should hope it may be easily obtained. This was your Opinion when I had the honour last to speak to you on the subject; and what I humbly beg is, that you may take a fit opportunity to move it, that the thing may be done.

I have given M[r] Scroope a long account of a project I am actually at work on, for improving the Revenue here; and he will open it to you, whenever you have leisure to hear it. I do not flatter myself with hopes that you are to give yourself the trouble of letting me have your opinion of my project, or an Answer to the particulars I now write of; but if you will be so good as to say a word or two about them to M[r] Scrope, he will let me know your sentiments, and that will satisfy me.

Since I left Edin[r] I visited M[r] Wade and his Works in the Highlands. He goes on with his usual diligence and discretion, and cannot fail of doing immense Service to the King and to this Country.

My Brother, who is now with me, and who Drinks & Swears as much as ever for you, insists that I assure you of his service. I beg pardon for the length of this Letter, and take leave of you, with assuring you, that you wrong me greatly if you do not believe me to be, very warmly, Your most faithfull and most humble Serv[t].

To Sir Robert Walpole.

No. CLII.

Mr Scrope to the Lord Advocate.

My Dear Lord, Whitehall, 17 Sepr 1730.

I HAVE the honour of yours of the 29th of last month, with one by the same Post from yor Bror wch I shew'd to Sr R. Walpole; at wch he laugh'd, & said he would remember wt his old friend wrote, & take care nothing should be done yt would be disagreeable to him. He had heard nothing of the Inquiry you hint at; and treated it in a manner yt you would have been pleased with, had you been present. The Day before I went to Bristol I had another Lre from you, with one inclosed to Sr Robt & he promised to take care of yor Commands; but he living for the most part at Windsor, I have not had an Opportunity of talking so fully with him as I could wish. I can't find any thing in the memdms you was pleased to leave with me relating to the Family of Gordon, or the E. of Seaforth. If you please to send me a Draft of a signature for granting what you propose for the E. Sr Robt has promised to get it dispatched, & to do what he can for the Dutchess.

Being just return'd from Bristol, & a fortnight's absence from my Business putting me into a little disorder, I hope you will pardon my enlarging at this time; & yt you will make my excuse to the Laird of Coloden for my not answering of his till my spirits are a little more composed.

I am with perfect Esteem,
My Dear Lord,
Yor most Obedient humble Servt,
J. SCROPE.

Lord Advocate.

No. CLIII.

Lord Lovat to Mr John Forbes.

My Dear Laird of Culodin,

I RECEIVED this day wh great pleasure ye honour of your letter of ye 19th Inst. and I am exceedingly rejoiced yt you are in perfect health: May you be many a merry Christmas and New year so!

I give you, dear Culodin, ten thousand thanks for your concern and good wishes towards me; it is what I ever did and will expect from such a stedfast friend as you, who put your life in hasard for me when I was in my greatest distress; and ever since did appear my best friend, whenever any essential occasion presented itself. I do assure you, yt I have as gratful a sense of those frdships as I had the minute I received them, and I shall publish while I live ye gratitude I owe to the Laird of Culodin. It was full of those sentiments yt I wrot a long letter to you this day se'night and sent it north by Castle Ladder's, and bid him give it in your own hands; the essential contents of it were to assur you of my constant gratitude and respect, and to give you an Account of my present situation, and to ask your kind assistance as I always use to do, yt you would be so good as to endeavour to know, by ye Laird of M'Leod, whether the infatuat family of Fraserdale are resolved, or not, to agree really and finally; for yr Br, my L[d] Advocat, who takes full burden on himself for me, says, yt they are such mad fools yt he can make nothing of them; however, he will put ye thorn in their side, and leave them excuseless befor God and Man. If you can bring this about by ye Laird of M'Leod's means, who only can press them to it, you secure ye Estate of Lovat to Simon's Bearns, and to Brig. Grant's nevews. I need say no more; I am convinced

convinced you will do what you can to save a family and Kindred y^t is yours more than any I know on earth. As to those Strahglass Rogues, if you knew ye malicious and insolent affronts they put upon me, you would not ask any favour for them. My Ld Advocate knows it, and was very warm for transporting them if they did not voluntarily list for your Cusin Arthur; and if it had cost me £500 I had got them transported; but if they have voluntarly inlisted themselves for Mr Forbes, I am very well pleased: I shall send them to him whout any expence in keeping of them; for I will send immediately orders to carry them south w^t a guard. There is a Captain here of Arthur's Reg^t who will receave them and deliver them to Arthur; and I'll send him other two Camerons y^t are in your prison, tall fellows; and five such good men will do him more service now y^t the Dutch expect a war, than thirty men next season. I have written to my fd Mr Baillie y^r Town Clerk about this, who will manadge y^t affair for me, and for ye Service of your Cusin. I truly rather give a Crown a day out of my pocket to mantain them a twelve month at Inverness, than to admit them to bail. It is but a new trick of my enemies to insult me; for if they were once at liberty, no bail would ever get them back; but they would offer you for y^r Cusin's use some little nasty thieves y^t they would be rid of, and would be of no service to Arthur; but those are handsome fellows, and they are too happy if they come off for going to Holland. I therfore beg you may order them to be well secured till I send for them; and be so just as to believe y^t I am, while there is blood in my body, w^t great affection & Respect,

My Dear Laird of Culodin,

Edin^r 25th Decr 1730. Your most faithful Slave,

LOVAT

No. CLIV.

Lord Lovat to Mr John Forbes.

My Dear Laird of Culodin,

I BEGAN the New Year w^t my Ld Advocat, and was truly fudled drinking your health, and ye healths of our frds in the north. Your brother, who has been working all he could for me this Winter, has at last come to a final resolution; he offers Fraserdale's family £6000. sterl. from me, and £2000. more from himself, if they come into his measures; upon condition, y^t if they accept y^t offer in a month's tyme, he will oblidge me to adhere to it; and if they do not accept, he has declared to them y^t they never will have it again; but y^t he will do all y^t in him lays to overturn all ye rights y^t ever they had to the Estate of Lovat from ye foundation; and my Ld Advocat will find no great difficulty in y^t; for I have consulted it fully, and am going on w^t all vigour to put it in full execution.

I am very much surprised to hear from several of my frds, y^t their is a design to affront me, and hurt my reputation and interest, by letting those Straglass villans at liberty who did insult me in the most attrocious maner; but I will not belive an Angel from Heaven, y^t my Worthy and Constant friend John Forbes of Culodin would, for any consideration, directly or indirectly, assist any Chisolm on earth to insult or affront me in ye persons of those Villans; especially since ye only thing y^t keep'd me from sending them to America was my eagerness to serve your cusin-german Arthur Forbes; so I beg of you, Dear Culodin, to give strick orders y^t those fellows do not make their escapes till I order a party to bring them up here at my own expence, y^t they may be sent to Arthur, w^t other two Camerons, y^t are in your Tolbooth, by a Capt of his Regiment who is in this Town.—My Ld Marq^s of Lothian is to be ye Peer in my Ld Deloraine's

Deloraine's place; some of my frds thought y^t this was a good occasion for my great frds to fix my family and Peerage; but I must have patience. Sir Rob. Rich, y^r frd, gets Deloraine's horse, and Coll. Cathcart gets Rich's dragoons, and Coll. Handgrave gets Cathcart's Regiment. Brigad^r de Bourgay comes down in Bavell's place. All ye members are going up fast, and they expect a hot battle against y^t frd Sir Rob. at the Sitting; but I hope he will defeat his enemys. I wish you perfect health in this new year, and in many more. I drink a bumper to it almost every day of my Life; and I am w^t a most sincere Affection and respect, my Dear Laird of Culodin,

Your own old Slave,

Edin^r 5th January 1731. LOVAT.

No. CLV.

Lord Lovat to Mr John Forbes.

My Dear Laird of Cullodin,

I HAD the honour of your letter of ye 15th, with the Attestation enclosed in it, but two dayes after the Post returned for Inverness. I give you, Dr Sir, a thousand thanks for your frdly and affectionat expressions towards me and my Children; It is realy what I shall alwayes expect from my dear John Forbes, of Culodin, who supported my Interest, and stood up for me, even in the tyme of my most desperat circumstances; and I bless God, I cannot accuse myself of ingratitude; for I can freely declare, y^t I never had the least occasion to serve your interest, or any y^t was concerned in you, but I run to serve you w^t as much zeal and cheerfulness as I would do my own family; so, dear John, their is no love lost; and as I am most sensible of the essential services you have done me both in Scotland and England, on signal occasions; so you may assure yourself that there is not a Forbes of your family, except your brother, who loves your person more affectionatly, nor none of them would ventur their blood sooner to serve you than I would do while I have courage and breath.— After what I have said, I take the freedom to tell you, y^t I am convinced, if you know really the unworthy manner in which I have been insulted by the Chisolms, after doing the most essential services to the Chisolm and to his family, you would as soon offer to throw me from the Bridge in the River of Ness, as you would desire me to consent to put those villans at liberty, who beat and insulted some of my men and relations. I do assur you, Dear Culodin, the whole design is to affront me in setting those villans at liberty, and hope y^t you never will go into y^t; for it is but highly just y^t they should willingly make a Campagne or two in Holand, since I save them on y^t account from transportation; and those fellows w^t the two Camerons y^t I have in your prison will be such a good complement for honest Arthur, y^t I hope it may contribut to get him a company now y^t the Dutch are going to raise ten thousand men of additional troops; and I shall take care y^t they will not be expensive to Arthur till they are in Holand, and then they will be worth themselves. Your Cusin Hughy is to let me know this week, when the Capt of Arthur's Reg^t goes off, or sends over his men; and then I'll send an order to carry those fellows and the Camerons w^t a guard of the forces to this place, and deliver them myself to y^t Capt for my Dear Arthur's use; and I most humbly intreat for your assistance and authority in this affair, since sincerely my honour is concerned in it. I give you joy for dear Hughy's being assessor in Tom Erskine's place. I do assur you, that I wrought like a tiger for Hughy, and my labour was not useless, nor in vain. Provost Lindsay acted like your brother in the affair. I saw a letter of my Ld Advocat's yesterday, y^t says y^t all ye stories against ye ministry

ministry vanished like smoak, and y^r frd Sir Rob. triomphes; so drink his health as I do your's just now in a bumper; and I am, w^t a most sincere zeal & most affectionat Respect, Dear Sir,

Your most obed^t, most obliged, and most humble Servt,

Edin^r, LOVAT.
29th January 1731.

P. S. Notwithstanding y^t all that hears it, and my Ld Roistown himself, approves much of ye great and generous offer y^r brother, my Lord Advocat, made to Fraserdale's family in his own name & mine, to put an end to all difference, yet I am told y^t Fraserdale's so high and mighty y^t he will not hear of it; however I am exonered, and so is my Ld Advocate, who will soon let them know, as he said to my Lord Roistown, y^t they used him ill as well as me, and y^t he never would hereafter allow me to make them any offers. While MacLeod keeps the one & Sir George Stewart the other at rack and manger, they never think of their family or children. I have done my part.

Adieu.

No. CLVI.

Sir Thos Pringle to the Lord Advocate.

Dear Duncan,

I SEND you inclosed the inscription, which, upon revising, I cannot alter, and yet am not thoroughly well pleased with it. Tho' we are got out of the Gothick taste in most other things, yet I think we continue in it as to inscriptions; & it was only in complyance to the prevailing taste that I writ it; for I cannot help liking the old plain Roman way; in which it was sufficient to tell the person's name & character in plain prose; & any elogium after it, was in Verse. If mine do not please, I should be sorry if they pitched upon that one published in Mr Pope's Name; the Latin is so obscure, that it may very well pass for an ænigma; & tho' the English distich is very pretty, yet I would rather see it shine in a Collection of Epigrams than on Sr Isaac's monument. By the by, if they are not pleased with mine, I should not like to read it in the Newspapers, especially with my name at it. I am surprised that neither Halley nor Dr Frend have tryed their hand on that subject: especially the last; of whom I have seen several good performances of that kind, tho' they are generally too prolix.

I wrott to Mr Logan, of Dunbar, as I told you I would do, both in your name & mine, about his Uncle Mr Cunningham's papers; & I have since had an evening's conversation with him; the sum of which was, that his Uncle has not left one single scrape of any thing ready for the press, or even in any tolerable order. His notes on Horace are written on the Margin of six Volumes; whereof three are the text of Horace, as he published it; and the other three are his animadversions on Bentley. The use of all these, I am promised against next week: the Lord have mercy on the patients till I have done with them! His notes on Phædrus are likewise only on the margins of two Editions of Phædrus; but he thinks them fuller than the others, & is talking of giving them to Mr Ruddiman, if he will be at pains to putt them in order & publish them. He has marginal notes upon several other authors; as Virgil, Statius, Quintillian, Cicero; any of which he offers to send me after I have done with Horace. His Notes on the Corpus are larger than any of the rest, & not writt on the margin, as the rest. His Copy of the Corpus is interleaved with clean paper;

so

so that there is a leaf of written notes, for every printed leaf. He told me, the Advocat's Library has applyed to him to have it; but he has given the curators no answer as yet, nor did he seem determined when he spoke to me.

What will surprise you most is, that he has left nothing of his scheme of the Christian religion. Mr Logan told me, he had inquired at him about it when he was in his perfect senses; but that he declared to him that he had never putt it in writing, & that he would dictate it to him any day, for he had it all in his head, & that it could be contain'd in four or five sheets of paper; however, every day that Logan press'd him to do it, he found always some reason for shifting it, till he was incapable of doing any thing.

I congratulate you on your successfull experiment of Sobriety: your irregular meals may do harm; but even when you putt Dinner & Supper together, it will be enough to change your Rule of 3 to 4.

I am sorry for poor Will. Aikman. If he gives too much way to his Melancholy, he may cast himself so far back in the bad season as not to reach the good. Pray let me have some polls [politics] in your next. I hear, all go's swimmingly with the Governor, & that he is on the point of surmounting all difficulties.

I hope you will keep a medal of Sr Isaac's for me.

Your's, T. P.

Ed^r, Jan^r 30, 1731.

No. CLVII.

Sir Thos Pringle to the Lord Advocate.

Dear Duncan,

I SENT you a long letter last post, with Sr Isaac's inscription; but I could not help trying to mend it next morning; especially the line I liked worst; in the place of which I have put two, & upon that account transposed another; which is all the alteration in the inclosed. I am very fond of the Alteration (however little you think of it), as well on account of the phrase, as that it expresses better the nature of the Newtonian Philosophy in opposition to any other. If the inscription is thought too long, or is really too long for the space on the Monument, I think the lines I have inclosed betwixt these [ ] may be omitted. I have gott two Volumes of Horace, with Cunningham's marginal Notes; but the hand is so bad, & the lines so closs on one another, that I have difficulty to make sense of them, tho' I perceive no siglæ, or secret marks, among them. However, I design to give true pains, & you will see probably the fruit of my labours when you return.

Your's, T. P.

Ed^r. Feb. 2, 1731.

H. S. E.

Isaacus Neutonus
Seculi gentisque suæ decus,
Qui fida experimentorum ope,
Missis inanibus conjecturis,
Naturæ reseravit arcana Legesque fixit
Dia Mathesi præferente facem:
Iactisque inconcussis Philosophiæ fundamentis
Princeps Philosophorum merito cluet.
[Quod adyta cœlorum penetralia
Menti patent humanæ,

Quod

Quod lucida tela diei
novo refulgent lumine,
Quod severiore calculo
veritatis indagantur fontes,
Quod ultimorum caligo temporum
felici dissipatur jubare,
Viro incomparabili
Acceptum referat grata posteritas.]
Divinum ingenium
æquavit animi candor,
Superavit modestia.
Mortali vix ut fas sit propius attingere superos.
Mortalem fuisse hoc, eheu! testatur marmor.
Vixit annis LXXXIV. mensib. II. dieb. XXIII.
Obiit XII. Kalend. April. A.C.N. MDCCXXVII.

No. CLVIII.

Lord Lovat to Mr John Forbes.

Dear Sir,

I TRULY long to know how you are after your last week's cavalcade. I am affaid yt your kind heart to your friends will at last send [you] to the other World; and tho' I love yr Br Duncan very well, yet I sincerely declare I never wish or desire to see any other Laird of Culodin than my Dear John Forbes, who was always my warm and stedfast friend sinc ever I had any use for a frd; for which I shall be thankful while their is breath in me. My bearns are very well, and will be your humble servants. I am much indisposed sinc I saw you at yr own house; many marks apear yt shew yt the tabernacle is failing; the teeth are gone; and now the cold has so seiz'd my head, yt I am almost deaf wt a pain in my ears; those are so many sounds of trompette yt call me to another world, for which you and I are hardly well prepared; but I have a sort of advantage of you; for if I can but dy wt a little of my old French belief, I'll get ye Legions of Saints to pray for me; while you will only get a number of drunken fellows, and the Innkeepers and tapister Lasses of Inverness, and Mr McBean, yt holy man, &c. I beg you let me know what accounts you have of my dear Duncan's health; I hope he will not cost you and me any more teares, which his first sickness made us shed very bitterly together. I am heartily glad yt you saw Willie Baillie, your worthy good frd's son, behave so well; it will be worthy of you to give him all maner of protection and encouragement. Whether sick or heal, I ever am wt an unalterable Affection & Respect,

My dear Laird of Culodin,

Beaufort, 10th April 1731.

Your most faithfull Slave,
LOVAT.

P. S. I take the freedom to send you some tarmichens, and a black cock yt I got last night from Glenstrafain, where you have mounted the highest hills as cleverly as any Scotchman ever did. Adieu.

No. CLIX.

No. CLIX.

Lord Lovat to Mr. John Forbes.

My Dear Laird of Cullodin,

I AM as much vex'd as any man alive at the escape of y^t murdering villan y^t stab'd y^r nevew and my cusin; and if the Jailor was my relation, I would concur to send him to the Plantations; for he must have plainly contrived and effectuat his escape, and no doubt he has been sufficiently bribed for it; for which he should suffer. It is pretty lucky y^t just now, as I received your letter, I have two of my trusty serjeants w^t me; Alex. Erchet's son, and William Fraser, son to Dulcraig. I send them this minute to march all night, the one by Straobench, and the other by Glenmoristown; so y^t if he goes either of those ways, they will have a fair chance to seize him. I order all my Company y^t are to the Westward to join them; and I command to make the same diligence as if my Life depended on it; and I know they will be faithful and actif. But my plain opinion is, that he will, when it's dark this night, cross Ness about Borlum or Delifour, and go straight on to Tullidanside, where he is safe; for none in y^t country will lay hands upon him, except Col^l Grant or Capt. George met him in the teeth. I tell what I truly think, because I would give any thing to have ye villan seized and punished. If I am able to ride, I am to meet Col. Grant on business of our Company's at Dalrachnys on Wednesday night; and you may belive I'll know if he has gone to y^t Country; and I will wait of you on Tuesday afternoon at Culodin. But I am so very much indisposed now, y^t I am afraid I will not be able to keep my appointment with Col. Grant. You may be sure, Dr Culodin, y^t what vexes you vexes me, tho' a Fraser was not at all concerned in the matter; and I will always make your quarrel my own; for I am, while there is breath in me, w^t much Love & Respect,

My dear Laird of Culodin,

Beaufort, 25th April 1731.—seven at night.

Your most faithful Slave,

LOVAT.

No. CLX.

Mr Delafaye to the Lord Advocate.

My Dear Lord, Whitehall, July 10th, 1732.

YOUR most obliging Letter of the 5th instant was brought me Yesterday by a flying pacquet. Expressions of kindness from so valuable a friend are a cordial to one who, in the midst of a crowd, leads ye Life of a hermit; a stranger to the world, & ye ways of it.

Having an Opportunity of sending to Claremont, I have got a further reprieve for Joseph Hume, wch I send by flying pacquet; & lest ye former reference should be lost, I will desire of my Lord Duke of Newcastle to sign a duplicate of it, & send it you by ye post. This is ye second time that the man's life has been in danger, by ye want of attention of those who solicit for him; for it is not ye business of ye Officer here, nor indeed could any Officer watch the progress of every affaire that passes thro' their hands into those of other people. Pray, in such a case as this, where circumstances unforeseen and meerly accidental happen, could not ye Lords of justiciary take upon them to prolong a reprieve? I ask purely for information: for as to ye present business, your Compassion & humanity has secured ye Man once more. The continuation of ye reprieve will come soon enough.

Your Lop will have seen from ye News, that the Spaniards are certainly sailed for Oran; the infidels will have a powerful Auxiliary in the heat of the Season and ye Climate.

By our Letters from Hanover, the King is in good health, & well pleased; the Emperor has as good as finished ye Affair of Mecklembourg intirely to his Ma^ys satisfaction, and most courteous & affectionate Letters have past between them upon it. That of Holsteyn also is adjusted, by a treaty between ye Emperor, ye Czarina, & ye King of Denmark, without our being concerned; by which we have ye Advantage of having got rid of the Guaranty of Sleswick to ye Danes, without contributing towards ye equivalent to ye D. of Holsteyn; and as this treaty contains mutual Guarantys of possessions, we could not have come into that part of it without disobliging the Sweedes; who tho' they have no near prospect of recovering what ye Muscovites have got from them, yet are not very thankfull, I believe, to those who guaranty ye possession of it to Russia.

As to domestic Occurrences, we have none that I know of, worth troubling your Lop; so I shall only add most sincere professions of the hearty Respect with which I am,

My dear Lord,

Your Lops most humble and most obedient Servant,

CH. DELAFAYE.

No. CLXI.

The Lord Advocate to Mr Scrope.

Dr Sir, Edin^r 8th August 1732.

MY Business being over in this place, I take my journey northward to-day, intending to find quiet for a few weeks, if possible. Every thing in this Country is quiet, and would go well on, if those whose Business it is to promote the publick good, would not obstruckt it. What I mean particularly by this reflexion, Bowles & Dodswell, who are now on the road, will explain to you. It surely would provoke any man living, as it did me, to see the last day of our term in Exchequer. The effect of every verdict we recovered for the Crown, during the whole term (and we recovered verdicts in every Cause we tryed, except two) stopt; upon the triflingest pretences, that false popularity and want of sense could suggest; if some remedy is not found for this evil, we must shut up shop. It's pity that when we have argued the Jury's out of their mistaken notions of popularity, the behaviour of the Court should give any handle to their relapsing. You know, Sir, it has for some years been my opinion, that under the favour of the fondness the Country is possest with for their Improvements and Manufactures, the jurys, and indeed the justices of peace, and other magistrates, may receive a favourable turn towards the revenue, out of the surplus whereof the funds for their improvements arise; and you may remember, that towards propagating this favourable Opinion in the Country, I proposed to Sir Robert and to you, before I left London, that as the Country is interested in the surplus of the Malt duty, a general Surveyor should be appointed for the Malt, to be recommended by the trustees for the Manufactures; whose business it should be to superintend the Officers employed in that service, and who might, by making rounds through the Country, recommend to the people every where the full collection of that duty, and discover to them, by degrees, how important it is to the national improvements, that fraudulent trade be layd aside, and that the revenues of all kinds bear surpluses. How useful so ever I think such an

Officer

Officer might be at this time, yet I should not choose to load the surplus of the Malt Duty with any appointment for him; but, as it happens, there is room enough at present to make a beginning, and there soon will be more. In the Year 1726, the Commissioners named 4 General Supervisors, at a salary of £150 each; and tho', soon after, they began to think them not extreamly useful, yet as they were once employed, and as the men had merite, they were unwilling to discharge them. One of these is dead; so that his salary may be made use of for the Officer I speak of; and Mr. Dodswell agrees, that when any of the remaining 3 drops, his salary may be added to the appointment of the new Officer, which will make a provision of £300 per Annum, and sufficiently enable the Gentleman I should recommend to do what is expected from him: his name is Archibald Hope, Son to Mr Hope of Rankeiter, one of our Trustees, and is a very diligent, sensible young fellow; from whose Industry and Zeal, I expect very considerable service to the publick. I have prevailed with him to begin at the salary of £150, now vacant; upon assurance that when any of the other three fall, or are better provided, his appointment shall be increased to £300. As this is nothing out of the Revenue, I should hope it would meet with no difficulty; and if you will take the trouble to settle it with Mr Dodswell whilst he is with you, it will be, I think, doing the Revenue and the Country a kindness.

Ten or twelve days agoe I wrote to Sir Robert Walpole on the subject of the Dutchess of Gordon's business. What I earnestly begged was an answer; because I soon must see her, and must make a very silly figure if I do not know what to say, after all that has passed on this subject. Hitherto I have had no answer from him, and must therefor in this, as I do in all my other dificultys, apply myself to you; and entreat, that with your first conveniency you will let me know how that matter stands, and what I am to say. Any commands you have for me, directed to me at Edin^r, will find me wherever I may happen to be.

I beg your pardon, and with great reason, for giving you the trouble of so long, and so ill wrote a letter; and your perpetual indulgence encourages me to hope for it.

I am most faithfully, &c.

No. CLXII.

Mr Henry Home (afterwards Ld Kames) to the Lord Advocate.

My Lord,

I ESTEEM it my duty to acquaint your Lordship, that I have it in View to stand as a Candidat for the Professorship of Roman Law, now vacant by the death of Mr Craig.

As I have it at heart, by this application, to contribute my small mite towards the service of my Country, I shall hope your Lordship's interest only in case you reckon me qualified; and yet further, as your Lordship stands justly possessed of the most amiable Character of disinterestedness, as well in publick as in private life, with great alacrity and submission shall I be ready to throw up my pretensions the moment you tell me the office may better be supplied by another. Believe me, my Lord, these are not words of course; they are the real sentiments and resolution of

Ed^r, 24 Augt 1732.

Your faithful and devoted Servant,
HENRY HOME.

No. CLXIII.

No. CLXIII.

M[r] Hew Dalrymple to the Lord Advocate.

My dear Duncan, Elphinston, Aug[t] 26, 1732.

I WAS sorry to hear of your Riotous Journey northward. Remember your flannels and Swing; and if you will not for your own sake give over such pranks, pray at least be so complisant as to avoid them for y[e] sake of a good many folks, myself in particular, who languish when they see you doing yourself so much harm. I seldom have been troublesome to you in asking favours for myself, or any other body; tho' now I must beg a favour of you, which I hope you'll be so good as to grant me. You know that the Professor of Law's Chair in the College of Edinb[r] is now vacant, & the method how that is supplied. The faculty of Advocate's Leet two, and the Town Councill choose one to fill it out of that leet. There are two Gentlemen who I hope have the honour to be known to you; M[r] Will. Duff, and M[r] Will. Brodie, Advocates; whom our friend the Lord Presid[t] recommended to me as fit persons to be put in that leet, and for whom I now presume to ask your patronage. I always placed a great value upon your friendship, and need not, I am sure, multiply words, nor depart from the stile of a friend, to make protestations in another way of my sincerity in being yours: all that, between us, is quite well understood; but if you are at liberty to give your Countenance for these Gentlemen, it will give me great joy, because it will be of the last consequence to them. I now take again the liberty to recommend yourself to yourself, & beg of you to be more moderate in your riots; which more than any thing, as the best for you, will oblige,

My Dear Duncan,

Yours,

HEW DALRYMPLE.

No. CLXIV.

The Laird of Colloden to John Forbes, the President's Son, dated Inverness, 28th Sept[r], 1732.

Dear Nephew,

I AM very glad to fynd from your own hand, that you are in Lyfe, after the bad accounts I had of you some months agoe. At the same tyme, I wonder you did not write me oftener; however, I expect you'll mend this fault in tyme coming.

As the greatest happiness of my lyfe now, My dear Johnie, depends on the hopes I have of your comeing home an honest man and a pretty fellow, I dare not doubt but you have improved your tyme, since abroad, to the best advantage; and therefore I will insist with your father to comply with what you desire, and also to send you proper directions, that when you come home, you may not be idle. Pray lett me hear often from you, and believe that I will doe all in my power to make you easie. Give my service to M[r] Murdoch.

I am, Dear Jok,

Your affectionate Uncle,

JO. FORBES.

No. CLXV.

No. CLXV.

The Lord Advocate to Mr Murdoch.

Sir, Bunchrew, 8th October 1732.

WHEN I sent John into the south of France, you know it was my intention he should pass some years there; partly that he might form his manners and habits in a place where example gives less temptation to vicious ones, and where he might have some encouragement to study; and partly to keep him out of this most corrupt corner of the world till those habits were put on, and his mind grown somewhat firmer by age. But this intention was in some degree traversed by his impatience to see Italy; which, tho' I did not contradict (because I know what fruit that commonly produces), I did not approve of; and he is now returned to Geneva, where a resolution must be taken what further is to be done.

If my original purpose can yet in any degree be executed; if after he has seen Italy, and I presume reckons himself a fine travelled Gentleman, he can chearfully submit to retire for some time to any convenient place in France, Swiss, or Germany, to improve himself there, and grow a little older, at less expence, and with smaller temptation to folly, than he would meet with in Paris or London, I shall be very well pleased; but if he is reluctant to this, and has a violent itch to come home, I shall probably submit to that upon my part, and he may make Paris and London his way; but as a traveller only, and not to reside there: the good that is to be had at either of those places I know pretty well, and the price of it.

By what I now say, and formerly have often told you, you see my strong byass is, to his remaining abroad some [time] longer, if it may be done at reasonable charge, and with tolerable hopes of his not doing harm rather than good, by hiding himself a little beyond seas; and my reason for this is, the imminent danger I see him in of being undone, if he is to make this part of the world his home without being well fortifyed against folly. But as I am intirely unacquainted with his present turn of mind, and ignorant of his byass and inclinations, as well as of what Change to the better or worse time and observation may have made on him, I must insist with you, that, without any reserve, you do report to me your real opinion of him, that I may be enabled to determine what is fittest to be done with him. And, that your return may answer as near as may be my views, I desire to be resolved in the following particulars:

1st. Is his understanding and Capacity to comprehend, the same as when we parted; or is it in any degree improved, and how far?

2d. Is his Application and Attention to learning or thinking, to any or all kinds, the same; or is it mended in any, and in what, degree?

3d. Has he pursued any study, and what? By study, I mean learned Amusement only. Did he read willingly, so as to find entertainment in it; or by compulsion, and from compliance; and does not reading produce any fruit in his conversation?

4th. Has he made any discreet Observations of what he has hitherto heard and seen; are his Views at all improved by them?

5th. Has he got so much relish of reading, Reflexion, or study of any kind, that he can entertain himself agreeably alone; or must he, to kill time, run into Company, diversion, and folly?

6th. What is his most favorite pursuit; which the scenes in which he discovers the greatest satisfaction and sense of happiness?

7th. Does

7th. Does he delight in Company, and of what sort; does he incline to show in Company, and on what subjects; is he given to telling of Stories; does he boast; or is he usually the subject of his own story?

8th. Does he love eating and drinking, so as to frequent Company that are given to these things; is he able to bear drink when he sets himself to it; whether is excess or sobriety his Choise?

9th. Whether is his disposition to be a good or bad husband of his money; does he show any inclination to play?

10th. Does he conduct himself with decency and discretion in Company, and in his way of living with his acquaintance?

11th. Is his prudence such, that you think he may be safely trusted with the Government of himself, where temptations to vanity or riot may frequently come across him?

These are Questions which, doubtless, you can answer; and as they are put by one who desires to be resolved only for his service, and who must be resolved in them before he can prudently determine what to do with him for his further benefite, I must expect a particular and candid Answer; together with such other circumstances as may lead me to form a just idea of my son, if they do not come within the Resolution of the presyse questions I have put to you.

Wherever this finds you, it is my desire that you remain there, or in the Neighbourhood, untill, upon hearing from you, I may be enabled to give further directions for your conduct.

If you cannot hide this Letter from John, it may show him that my doubts and fears about him are great; but then it must also show him, that my affection and regard for him is great in proportion.

As to yourself, Dear P., tho' my views have not been punctually followed, yet I impute that to accidents of different kinds, and not to you. I am very sensible of my obligations to you, and shall lay hold of all proper occasions to answer and discharge them. I am very sincerely your friend and humble servt,

DUN. FORBES.

NOTE.—This Letter seems a very well adapted one for the purpose intended; and any appearance of distrust in his son may be well attributed to parental anxiety.

No. CLXVI.

Mr Mac Leod to the Laird of Culloden, dated Dunvegan, Decr 19th, 1732.

My dear John,

THIS evening, about 5, I gott yours. You'll see, by the date, your express has not been slow.

I am very glad to see your quondam friends have appeared in their proper colours. My surprise is, how the Laird of Grant can ask the vote of a real Baron, after endeavouring to enslave them. Anie that will give it him (that's not dependant) ought to be marked properly for the use of posterity.

I'm sorry Sanders Baillie should have the least ailment when he must undertake a highland Journie. I've named him the day & materials he should meet me wt att Glenelg. What do you mean, to ask if I'm to make Barons? I own its against the grain wt me; but necessity has no law; & every one of our shyre that won't on this occasion exert himself, may he be for ever p——d on by all his neighbours.

I won't repeat what I spoke to you last Harvest, about getting the Custom house of Hornwa brought to Glenelg; but I tell you, that in spite of me a deal of Brandy is run over this Iland and neighbourhood, w^h^ I assure you vexes me; & to shew my good inclination for the quick sale of Ferintosh, procure in the mean time (w^h^ I'm informed can be got) a Warrant from the Commissioners of the Customs to me, & whom I appoint, to seize Vessels w^t^ Counterband goods anie where about Sky or Glenelg; & I'll warrant you ane effectual stop shall be putt to that mischievous trade; & wout it, I can do little.

Nota. The people I employ will expect the same advantages by seisures that Commissioned officers have. The word in this house for the time is, Bumper to Culloden & his Clans. When I do not, to the utmost of my power, assist toothless John Forbes, may I be incapable of serving his

NORMAND MAC LEOD.

No. CLXVII.

Lord Lovat to Mr. John Forbes.

My Dear Laird of Culodin,

I HAVE been very ill this last night; and my Ld Advocat did me ye honour to come and see me this morning, and stay an hour w^t^ me. He told me odd stories of those he has most obliged; I likewise let him see something y^t^ did surprise him, which he bid me tell you at meeting, since it cannot be writ, for reasons. Duncan has directed me how to writ my answer to my Cusin M^c^Leod; which I will follow and send you ye letter with a flying seal. Duncan and I are now as we were in 1715; y^t^ is, whout reserve to each other; and I know y^t^ there is few things will please you more. I own y^t^ when I believed y^t^ he forsook me for ye Mackenzies, I would have seen him at ye Divel; but he has fully satisfied me as to all y^t^; and I am persuaded their never will be ye least mistake or jealousie betwixt us. It is certainly to my Dear John Forbes y^t^ this re-union is oweing; for in mids of all these mistakes, I found Culodin still ye same friend to me; and I can freely declare, y^t^ I always loved & honoured you as in gratitude I ought; having receaved singular marks of your frdship in my greatest distress. My Ld Advocat & My Ld Grange are speaking about my affairs w^t^ Fraserdale; if my Cusin M^c^Leod designs to interpose and make use of his interest, I think this is ye tyme. My breast is so sore, y^t^ I am not able to hold down my head. I must conclude w^t^ assuring you, y^t^ I am while I breathe, w^t^ Passion & Respect,

My Dr Laird of Culodin,

Your affectionat & faithful Slave,

Edin^r^ 29th Decr 1732. LOVAT.

I earnestly beg y^t^ what passes betwixt us be entirely to ourselves. Adieu, my most Dear friend.

No. CLXVIII.

Lord Lovat to Mr John Forbes.

My Dear Laird of Culodin,

I HAD this afternoon ye honour of your letter by express; for which I give you my most sincere thanks. It is a singular proof of your frdship to me and to my family,

which I never will forget to you or to your Successors; tho' in the mean tyme I see no great appearance of Success. I have to do with very extraordinary fools, that refuse a better estate from me than ever Prestonhall had free in his Life; tho' they are now but in a miserable situation, and in danger never to get a sexpence. But who can make madmen wise? it is only ye Supreame Being y^t^ can do it; and I must have patience till Providence open their eyes. My Cusin the Laird of Macleod is mighty kind in his letter to me; it is most certainly to you y^t^ I owe his good intentions to serve me, and live in great frdship w^t^ me; but he desires y^t^ nobody but you and your brother should know it; otherwise, y^t^ it will put him out of Condition to serve me, because of the weakness and jealousies of those he has to do with. Macleod is really a sweet-blooded young fellow, and has good sense and writs pretiely. I wish w^t^ all my soul y^t^ this great affair were ended, y^t^ we might live in an affectionat and strict frdship together; sinc I am ye nearest relation he has of his father and mother's kindreds.

Dr Clark having told me y^t^ they opened letters at ye Post house, I would not expose myself in writing to my Ld Advocat. However, ye Doctor having told me ye other day y^t^ ye President was worn out and going, I have ventured to writ a long billet in French to Duncan, and I give it to y^r^ Cusin Willy to put under his Cover. I have told him in that billet what passed betwixt ye unmannerly fool and me; and I have written a long letter to ye Earle, in which I have told nothing but ye truth; and yet no more could be said of ye most abominable fellow in ye Kingdom: he deserved it all at my hands. I have taken care to blow him up w^t^ ye young laird of Grant; and I have acquanted his father of his insolency towards me, and y^t^ he had as little reason as I had to be pleased w^t^ him. Capt: George Grant and Dalrahny came 2 days ago here, and I dined w^t^ them yesterday at young Grant's; and I let those two Gentilmen know how little they are obliged to the monster. In short, we all agreed y^t^ Grant should give you the Shire of Inverness, and take Moray to himself, and leave ye beast to his shyr of Nairn; and in the Parlement y^t^ will come after ye next, he will be quit out, which would be a happiness for him y^t^ he does not deserve. If my Ld Advocat take my advice, he will triomphe over him and all his enemies; and it is very easy for Duncan to make up w^t^ Grant, who is a good-natured man; and I will do all I can to bring this about: nothing can hinder it but ye Earle, and I have most earnestly begged of your brother to lay asyde his humour at this tyme, and to make up w^t^ ye Earle, who I know will be glad to receive him; and by this means he will get ye better of all his enemys; he will most certainly be made President; an Illustration y^t^ would do honour to any family in Scotland, and put him in condition to do good to his family and friends. I tell him y^t^ I know ye Court, and those particularly whom he had to do w^t^. I am persuaded y^t^ ye first minister will not stand by him against ye E.; and I am as sure y^t^ ye Duke will not entirely cast out w^t^ his brother on his account. I therefore beg of him, for Jesus' sake, to put water in his wine, and make a little court for his own advantage and for his friends. If he takes my advice, I am sure he will succeed; and tho' he should not take it, upon serious reflection he will see y^t^ it is a good advice, and y^t^ it flows from ye heart of a true friend; and I do not want hopes but in some measure he will take my advice. I beg y^t^ what I writ to you be betwixt ourselves; for you see there is no trusting to many who eat and drink at Culodin. Whatever comes of affairs, I shall be ever thankful and gratful for y^r^ constant and kind friendship to me; and you will find me on all occasions, w^t^ much affection & sincere regard,

My dear Laird of Culodin,

Your most obed^t^ & most obliged humble Servt

Edin^r^ 30th Jany 1733. LOVAT.

* The

The Lairds of Macleod and Grant going on to make a great number of Barons, forc'd me to be at ye expence to try the records to see what I could do. I found two Retours in Chancery, by which it appears y^t^ I can make by ye Barony of Lovat about 120 Barons. I consulted ye affair w^t^ the best Lawiers in Town; and they are positive y^t^ I can make about 120 Barons out of the Baronry of Lovat without objection; besydes several other Baronrys in the Ldsp; so y^t^ I am resolved to make as many as will make some sort of ballance in my family, in case of a disputed election; and as my ancestors made always a good figure in the Shyre, it is but natural I should wish to preserve it.

I am ashamed y^t^ you should lay out money for expresses on my business; but I will thankfully pay it at meeting. The Bearer says, he wants ten shillings for his coming here, besydes what you gave him; so I have pay'd him the ten shillings, tho' he only came here scarce one day before the common Post; but I am most sensible of your anxiety to send ye letters.

No. CLXIX.

Lord Lovat to Mr. John Forbes.

My dear Laird of Culodin,

I RECEIVED from your Cusin ye honour of your letter of the 2^d^ Feby. I am exceeding glad y^t^ you keep your health in ye mids of such a contagious distemper; we are frighted here w^t^ ye dreadful mortality at London. I do assur you, my Dear Culloden, y^t^ I have such experience and such strong proofs of your frdship, y^t^ I no more doubt of it than I would do of my Brother's frdship if he was in life.—As to ye showing my letters, as I told ye impertinent squire, I did not value if they were printed or published at the Cross; but as he reproached me ye knowing them paragraph by paragraph, I only wrot to you as my intimate frd, y^t^ you may observe hereafter those who had ye ill manners and indiscretion to writ such Chatters to Mr Brodie. I dread much y^r^ Moderator, for reasons I'll tell you at meeting: this is a most ingratful World; a true heart and a kind heart is as rare to find, as a black swan in a Lake.

I wish I had never put pen to paper or opened my mouth about ye Sheriffship; for you canot imagin how I am used in y^t^ affair; which you will know at meeting, and I hope y^t^ will be ye next month. I belive Dun. by this tyme has let you know how ye impertinent King of Beasts has brunt his own fingers, by telling y^t^ he had orders to keep you and your brother out of Parlement. The E. denys ever giving any such orders by word or writ, as I am assur'd; and I truly belive he is too prudent to give such orders. I am hopeful my letter will extinguish the Beast's interest with the E. I have keep'd a copy of it for several reasons. That ungratful fool has been the only occasion of all our jars in the North. God damn him, y^t^ ever I should be acquanted w^t^ him.

My gaining ye decreet of the expiration of the Legal makes my enemys think y^t^ it is tyme to agree. Their great Council, who is a prety fellow, Mr. Craigy, has spok to the Solicitor, who is one of my Council. But Fraserdale and his son are such weak, wavering, and unconstant creatures, y^t^ I belive nothing can fix them to an agreement but your frd and mine his holding his assistance from y^m^; which would be a good service done them, as well as to me. MacLeod setting up seven new barons has made Grant set up as many; but, as Grant is willing to make no Barons if MacLeod makes none, your Brother wrot down to stop MacLeod's Barons; however both are revis'd: but John Hamiltown told me he would not pass ye Seals till further orders; and Grant and he have agreed to pass ye Seals at the same time, or make no Barons at all, which in my opinion is best; sinc the one is making as many as y^e^

other. I have delayed to make any this term, till I know what those Gentilmen will do; for if they pass the Seals, I do assur you that I'll make twenty new barons next term, y^t will be entirely unquestionable; for I am resolved to keep a sort of ballance in ye Shire, as my Ancestors have done. I give you a thousand thanks for y^r visit to my Dear Babys, and I am while I breathe, w^t Love, Zeal, and Regard,

My Dear Laird of Culloden,

Edin^r, 9th Feby 1733. Your most faithful Slave, LOVAT.

No. CLXX.

The Lord Advocate to Mr Scrope,

Dr Sir,

LAST August, before I left this part of the Country, I gave you notice of the state wherein I found myself; and now, upon my return from the North, I cannot help letting you know how I stand. Long letters, on a subject so remote, may be troublesome; but I hope for your forgiveness, because you know I correspond with no one else.

I have strickly keeped the resolution I acquainted you with in my last, of not medling directly or indirectly, to oppose or thwart the views of L. I. or any of his friends, in any place whatever, except the Countys of Inverness & Ross, and the Burrows for which I serve. That I have endeavoured to secure my Burrows will not (I presume) be complained of, because no man will own the having medled with me there; and yet nothing is more certain, than that there have been attempts against me in every one of them, tho' the undertaking made no great noise, because it met with no encouragement.

As to the County of Inverness, I have had the mortification to meet with such Oppression from Power, as some time ago I had no reason to expect. You know, that by the Constitution of Scotland, the Freeholders in each County are to meet annually at Michalmas, to settle the Roll for Election; and that the Sheriff is oblidged to enter into his Books the Roll as settled by the Major Part of the Freeholders to be the Roll by which the election to Parliament is to be made.

At last Michalmas there was a compleat muster of all the Barons and Freeholders of the County of Inverness capable of voting: the total number was 16. Sir James Grant attended with his friends, in order to add to the Roll of real Freeholders 13 Ficticious freeholders, who, without having one Shilling in the County, had patched up the last term the show of qualifications, but which really were liable to unanswerable Objections from the words of our statutes; and Culloden and his friends attended to oppose the enrolment of those Strangers, by whom the Rights of the real Freeholders were to be defeated; and tho' no influence was withheld to encrease Grant's party, it could be brought no higher than 5, whereas the other 11 adhered to your friend John; which put it out of all doubt where the interest of the Shire lay, and what must be the fate of the ficticious Voters as to their Admission to the Roll.

But Grant's friends had a trick for that: they said, the Meeting for setling the Roll could not consist of 16, all Freeholders present; but only of 5, because no more than 5 had been present at the last Election of a Member to serve in Parliament. And finding, that of those 5, 3, including Sir James Grant himself, were in his interest, these 3 pretended to be the majority of the legal meeting, chose Sir James Grant Preses, and proceeded to enroll all his ficticious votes, and to leave out all the reall votes that were against

against them; tho' the other 11 Barons & Freeholders protested against that proceeding, and required them to join with them the Majority, who had chosen John Forbes to their Preses, in revising & setting the Roll.

This Conduct, ridiculous as it seems to be, Grant held; but what is still more extraordinary, the Sheriff was, it seems, properly instructed; for tho' he was present, and saw the 3 acting against the Eleven, and knew that Grant had no more than two good Votes to join his original 3, yet he, without hesitation, accepted of the Roll made up by the 3 (in which all the ficticious Votes are inserted, and from which Nine of the antient Barrons. and Freeholders are excluded), and rejected that made up by the Eleven, who had admitted all the good votes, and rejected all the bad, without distinguishing whether they belonged to friend or foe.

By this Arbitrary Act, the Sheriff has given the right of determining the Election to meer Strangers in the County, and scored off Gentlemen possessed of by much the largest property in the shire; and has so exceedingly and so justly provoked them, that they have unanimously resolved to prosecute them, and to seek for redress in the Court of Session; hoping that they may be relieved from this Oppression before any new Election come on; I dare say, this step will be imputed to me; but I do assure you, the Gentlemen wanted no prompter; they feel the sore very sensibly; and I confess I, for my own part, think it more eligible to have such a simple proceeding complained of and contested here, than above, where it would not sound to the advantage of those who encouraged it, and might draw allongst with it Consequences that I should be very sorry for. I send you a Copy of the Lybell printed in common form. Glancing it over will give you a more perfect idea of this transaction.

In Ross Shire I think all the arts & diligence of Col. Munro, and those that stand by him, must come to very little. It is amasing to me, that a Man so well known should be encouraged. I have something more to say on this subject then I choose to trouble you with in this form of Correspondence; but it will keep cold.

What description will be made with you of those transactions, or whether any, is more than I can tell. The end of giving you this trouble is, that you may be able to set any false report that may be propagated to rights. I am heartily sorry that the occupation I have had at home has hindered me to assist in the service of the common cause so much as is required, and as I wished; but I am confident I am in no degree to blame for that misfortune, and therefore I make myself as easy as I can.

As you know I had some jealousy before I left London, and as I have no doubt fresh hints will be given to Sir Robert to my disadvantage, I intreat you will be so good to me as to enter with him a little on my subject, and let me know how matters stand. Your abstaining from touching this matter bears with me the construction of unwillingness to say what I should not like to hear; but it will be much more kind to let me know the worst, than to leave me in a state of doubt and suspicion. I have no other apology to make for such an impertinent Letter, but that I am sincerely, &c.

Stony Hill, 27th Octr. 1733.

No. CLXXI.

Mrs Isabella Sleigh to the Lord Advocate, dated Brodie House, 29th Septr 1735.

My Lord,

I HAVE allways esteem'd you so much, and am so greatly oblig'd to your Lop, that 'twas with the most sensible regret I passed twice by Colloden without doing my-

self the honour of waiting on you. Your Lop will easily guess what occasion'd it; and I hope you'll not think me guilty of a fault when I was doing the greatest penance, tho' not for sins of my own. I wish to God those unhappy differences betwixt you and Brodie had never had a being; and next to that, that there may soon be an end to 'em. 'Tis now a great many years since I told your Lop of what consequence your friendship was to my Daughter and me; and tho' I know you do us the honour to value us, yet we should be still much happier if you and the Lyon were as you have been, and if you could forget all the cross accidents that have happened, and only remember the great friendship there was, and the relation there still is, betwixt you.

My heart is so full of this unlucky subject, that I could not write to you without mentioning it. If 'tis impertinent, I beg you'l forgive it; and be pleased to believe, that no body has a greater respect for your merit, nor a truer gratitude for your favours, than,

My Lord,

Your Lordship's obliged and most Obedient humble Servt

ISABELLA SLEIGH.

I would have done myself the honour to write to your Lordshp from Inverness; but the pain I was in by an overturn (which I still feel), & a hurry of company, prevented me.

No. CLXXII.

The Lord Advocate to Mrs Isabella Sleigh, dated Culloden, 2d October 1735.

Madam,

IT was with very great pleasure I saw by the Letter I had the honour to receive from you of the 29th September, that our unlucky dissentions in this Country have not been able to dislodge me from the place I was so proud of possessing in your esteem. Those dissentions produced abundance of uneasiness; but none I felt so sensibly, as the being locked out from the Conversation of Ladys to whose good will I owed so much, and for whom I had so true a respect. And if the nature of the disputes, and the manner of carrying them on, had not put it absolutely out of my power, you may be sure no slight incident, no matter of form, would have ever prevailed with me to mortify myself so much, as to pass by Brodie House whilst you and your daughter were in it. But those unhappy differences were begun, and have been carried on, in such a manner, as leaves it impossible for me (I say it with great concern), in any consistency with the maxims I have laid down to myself for the Government of my life, to forget, or even to seem to forgive hastily, the usage I apprehend I have met with. I say the usage I apprehend, only, I have met with; because I would not, if it might be had for a wish, desire that either you or Mrs Brodie were convinced of the Injustice of it. Since, if one of us must be in the wrong, it is much more eligible, and will tend much more to your quiet, that I should be thought the faulty person, than that Mr Brodie should deserve the Blame. But let those Contentions run as high between the Lord Lyon and me as Indiscretion on either side may push them, I do assure you, with the greatest sincerity, that nothing can give me greater pleasure than to have it in my power to do you or your daughter any reall service; and that upon every occasion wherein your honour or Interest may be concerned, I shall delight in shewing how much I am,

Dear Madam,

Your very faithfull and most Obedient humble Servant.

No. CLXXIII.

The Lord Advocate to Mr Scrope.

Dear Sir,

IT was not my intention to have given you any trouble at this time; but the Report made to me by my Nephew, John Munro, of your kindness to him, is so strong, that I cannot forbear expressing my thankfulness. It is true, that, recollecting the whole tenor of your conduct towards me, I had reason to expect your good offices to such as I had any near concern in: but the neglect I have for some time past met with, from those whom I have always served with great affection and fidelity, places your goodness in such a light, as draws from me all that my present condition can afford; to wit, wishes that it may be in my power to return your friendship to yourself, or to any in whom you are any way interested. As for me, my situation is such as you may guess; disabled to do good, unwilling to do harm, I live as much as I can the life of a Philosopher; hopeful, from the lucky turn the Newspapers say our Forreign affairs have taken, that faction and virulent opposition will be so far quelled at home, that I, who am incapable of leaving my friends in times of difficulty, may have leave, without imputation or reproach, to enjoy a little quiet at home, and to retire from a situation for which it seems I am not fit, and in which I never enjoyed much comfort. But, whatever my situation may be, you & yours shall ever find me a most faithfull & most humble Servt.

Edinburgh, 18th Novr 1735.

No. CLXXIV.

Mr Speaker Onslow to the Lord Advocate.

My Dear Lord,

I AM much beholden to your Lordship for the favour of your Letter, & have a thousand pardons to ask of you for the trouble I give your Lordship in this matter; & to shorten it as much as I can, at present, I will only inform Yr Lordship, that I have just now recd the linnen, wch shall remain as it came, till I have the honour to kiss your hands here; when, I am sure, you will suffer me, in some shape or another, to make a return by way of present for this wch the Royal Burghs have sent me. I know your Lordship will think this right when you & I talk together of it; & then I'm sure of your assistance in it. I am, with all imaginable respect, my Dear Lord,

Your most affectionate,

Leicester-street, Decr the 18th, 1736. and ever faithfull Humble Servant, AR. ONSLOW.

I'll do all I can for poor Mr Anderson; but fear my success.

No. CLXXV.

—— St. Clair to the Lord Advocate.

No date [probably Janr 1737.]

My Dear Duncan,

BY last night's post I had your kind Letter. Our poor Friend Mrs Fenwick is no more. I have given Farquhar an account of her death, which I make no doubt he

he communicated to you; so, I reckon, a repetition of that mellancholy storie is unnessisary: all we that were acquainted withe her have made an irreparable loss; but she, poor Woman! had suffered so much in hir longe ilnese, that, in kindness to hir, one shou'd not be sorry she is released, since their was no prospect of hir being restored to hir health. Not half an hour before she dyed, she received a letter from George Clark, which she oppened and read with a seeming satissfaction. The Day befor she sat donne at the head of hir owne Table at Dinner, and in hir usewall way mind'd all your healths, and in short caryed every thing out to the last with ane uncommoune spirit.

I returne you my hearty thanks for the care you take in assisting my Brother in his Burgh; as also for makeing your Brother John's peace with the Kirk, without giveing him the Trouble of longe conferrences and treatys. I reckon your preliminarys have been better adjusted and understood than those that shall be nameless. Mr Ross has had his affair finished on the plan you left it on; and, I think, was convinced that Sir Robert cou'd do no more then he did for him, in the matter of the Rank twixt him and the Duke of Argyle, which he now aquiesses too.

Thier was a project of the E. of Islay's agreed too by Sr R——, for Peter Halden's being Commissioner of the Customs in the roome of him whom Vahan has succeeded too; and that the 1500 pound a year, which is the sallery of a Commissioner of the Customs and Excise, shou'd be equaly divided betwixt Peter and the Master of Ross. When this came to be mentioned to his Maj—— it's said he was in a great passion with the Knight, and ordered him to tell Peter, that he, nor no such Rascall, ever shou'd have any imployment from him. On this, I heare, Peter has walked for Scotland, with an intent to sacrifyse the remainder of his days for the good of his Country in a private way. Sr Robert had done nothing in my affair befor his goeing into Northfolk, but has promised to speake to the Queen of it as soone as he returnes; which if he do's, and that I see no apperance of the Prince's comeing soon over, it's verry possible I may visit you in the month of Sepr, when my waitting as Field Officer will be out. I do not heare when the Duke is to sett out on his reviewing.

I have not seen Lord Grange since he had his first heareing before the Chancelour; but I take it for granted, he will lose his plea.

We have been told here, that the President was at the last gasp *; and I think it's allowed by every body, that you may be his successor if you please. I have said so much to you on that head, that I shall trouble you with nothing now upon it; but assure you, that all your friends will have great cause to be dissatisfied with you if you refuse it.

The King is now at Hampton Court, and will stay there about three Weeks longer; from thence he returnes to Richmond, and will live privatly till the middle or end of August; then he goes to Windsor.

I am, my Dear Duncan, most Affectionately yours,

JA. St CLAIR.

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* Sir Hugh Dalrymple, Bart. of North Berwick, Lord President of the Session, died Feb. 1, 1737.

No. CLXXVI.

Mr Ruddiman to the Lord Advocate.

My Lord,

I AM sorry I am, obliged to inform you, that at five o'Clock this Afternoon, I was served with an Order from the House of Peers, to appear as an Evidence before them with relation to a Bill disabling our Lord Provost, &c. against the third of May next. It is not unknown to your Lop that besides my advanced Age (I being some Months gone in my grand Climacterick) I have been accustomed to a sedentary kind of life; in so much that I have no prospect that it will be practicable for me to arrive thither against that time. I am therefore advised by some of my good Friends here to have recourse to your Lop, that in case I do not come up in time, as I am perswaded I will not be able to do, you will be so good as to represent my Circumstances to such great persons as you shall judge proper. To shew my Obedience, I design to set out the Morrow forenoon; but sure no Orders can be so strick & peremptory as to oblige a man to anything that is inconsistent with his health, & far less what is above his power. Your Lop's known generosity & goodness, of which I have made many instances, will excuse this trouble, & prevail with you to represent my case so favourably that I may not incur any hazard by arriving later than the time appointed. I am, with all dutifull Respect,

My Lord,

Your Lop's most obliged &
most humble Servant,
THO: RUDDIMAN.

Edinr 23d April 1737.

No. CLXXVII.

Mr Scrope to the Lord President of the Session.*

My Dear Lord, August ye 13th, 1737.

I HAVE ye honour of yours of ye 2d; ye substance of wch I communicated to Sr R. W. who spoke of you wth great respect, & I am confident will do any thing to make you easy. At present, little is thought of here, but ye incident wch lately happened at Court. Ye removing ye Princess from Hampton Court, wthout ye knowledge of ye K. or Q. after there were certaine indications of her being in labour, hath much increased ye uneasyness yt was there before; & I see no prospect of it's being better. What ye Consequence of it will be, God knows. I intend next week to go wth my nephew to his House in Somersetshire, where I hope to be quiet, & am resolved to be troubled wth no news but what is in ye prints, wch is so seldom true yt I shall not regard it much. I believe little will be done about Scotland till my return. I don't find any thing is determined in what you hint at about the Customes; nor is it talked of in ye manr it was when you left us; wch makes me think they will go on in ye channel they are in. As to poor Bowles, I don't know what to say: he is so secreet in every thing yt relates to himself, that I can never guess what would be agreeable to him; & ye unfortunate affaire of the Isle of Wight hath created such a prejudice agst him, yt I am affraide to mention his name; but this I dare not let him know. It being uncertaine where this will wait on you, I will only add, yt I am wth ye utmost regard and esteem,

My Dear Lord,

Yor most affectionate faithful humble Servt,
J. S.

* Mr. Duncan Forbes was appointed Lord President June 21, 1737.

No. CLXXVIII.

Mr Henry Fane to the Lord President.

My Lord, The 13th Sepr 1737.

I TAKE the liberty to acquaint you, that Lord Harrington has talk'd wth Mr Solenthal, the Danish Minister, abt the Affair of Mr Wightman, who has promised to write home to his Court; & my Lord has wrote to Mr Titley to use proper instances for obtaining satisfaction. In the mean time, the last subsidy is stopp'd; and I think a line from you to my Lord & Sr R. W. may make the matter more easily finished.

My Uncle & I returned Sunday from a progress to Lyme, & my Brother's house in Somersetshire; where we left him very well.

There was a great scour yesterday at St James's, to get the P. & Princesse's Baggage out of the house, pursuant to the order he rece'd Saturday by the Ds of Grafton, Richmond, & the E. of Pembroke, to be gone by yt time. The message they delivered was long, & I hope to send you a Copy of it next Post. Every one is forbid paying court to them, under the penalty of non-Admittance into their Majesties Presence.

I am, wth the most perfect Respect,
My Lord,
Your Lordps most faithful & obedt humble Servt,
HEN. FANE.

No. CLXXIX.

The Duke of Argyll to the Lord President, Dated Adderbury, Octr ye 9th 1737.

Dear Duncan,

I HAVE last post receav'd your Letter, & doe not doubt but you will believe that I am most sincerely thankful for ye vast trouble you have been at to doe me good. I am very fare from not having my expectations answered; for, upon my word, I took it for granted, from the Sheriff's way of stating the affairs of that Country, that things would turn out as you found them; & believe me, I think myself well off on the foot that you have put them; & I am fully perswaded, if you had not given yourself the trouble you have done, some Gentlemen had brought about their ends whose duty it was to serve me better. When you have time, my curiosity makes me wish to know your observations on Teree. I have strange notions of that Island. I fancy you don't expect news from me, who have nothing to doe with Patriots, & almost as litle to doe with Ministers. I had a Letter by this last post from Mr Wishart ye Minister at Edingbourg, by which I see that many of those Gentlemen are as mad as ever, &, to my great surprize, that he is of the number. This, Duncan, I think proves plainly that the method I proposed for conducting those Gentlemen was much better then what was taken. My Brother did us the favour of a visit last week; to what end I am not able to conceive; for in the three days he pass'd here, the only news he told me was, that he knew nothing: he did, indeed, doe me the favour to let me see Extracts out of some Letters which I and every body in this County had seen before in full & in print. Receive ye compliments of ye Dutchess & ye young Gentlewomen, who are all well.

I am most faithfully yours,
ARGYLL & GREENWICH.

No. CLXXX.

No. CLXXX.

Mr Henry Fane to the Lord President. Dated the 3d Decr 1737.

My Lord,

I HAD the honour of your Lordps Lre, with the comfortable Scarfe for my Bror Thos Parson, wch I immediately forwarded to him, that his Poll may receive no damage from the cold winds. I should have answered it sooner, but I have been attending (partly out of curiosity, & partly as my duty) the Committees of Council to regulate her Maty's funeral. Their Lordps sent for the ingenious Mr Anstis, who attended them 3 times; and, altho' he had as plain directions given him as possible to prepare a scheme of a funeral agreeable to Queen Anne's, in wch the Queen's Officers were to be introduced, he brot them no Scheme, but tired them with puzzling speeches; so yt to-day the Lords met themselves and settled the Ceremony, wch is to be this day fortnight. The body is to be removed to the Prince's Chamber the night before, and buried from thence in a new Vault wch is building in H. the 7th's Chappel. It is to be preceeded by the Peers & great Officers, & other inferior ones. The Princess Amelia is to be Chief Mourner; the Lord Chamberlain & Ld Steward are to support her, & two Dutchess's support her train, assisted by 14 other Dutchesses. There is no other of the Royal family to be there. Had it not been for the quarrel, the Prince & Duke would have been her supporters, & the young Princesses would have carried her Train. Six Dukes, Knights of the Garter, are to be Pall-Bearers. The Duke of Somerset and others are angry at the Mourning, and won't put their Coaches in black; because the King having declared by an Order of Council, published in the Gazette soon after he came to the Crown, yt he should not require so close Mourning as formerly on any publick or Court Mournings, it altered the old Method of going into Mourning; so yt sevl have not put their Coaches or Servts into Mourning for their nearest relations, and therefore think it hard to do so for the queen.

My Brr has the hardest Case. He, as Soll to the Q., puts his Chariot in Mourning, and his place is extinct; & he can't take a Pension, as her other Officers do, because he is a Member of Parliament. The K. wanted to be put into the Coffin with her when he died; but that being impossible, her Coffin is to be put into a Marble Coffin big enough to hold two; and when the K. dies, he is to fill up the vacancy.

I believe I have tired you. I shall only add, that Mr Blair told me last night, that Lord Harrington is very assiduous abt the Danish Claim; that Mr Scrope is very much yours, & will soon write to you; & that my Brother doubts not of your being his with the same sincerity that he is yours.

I am, with perfect respect & regard,
My Lord,
Yor Lordp's most obliged & obedient humble Servt,
HEN. FANE.

No. CLXXXI.

From Ld Hardwicke to the Ld President.

My Lord, Carshalton, Janry 5th 1737-8.

YOUR obliging letter found me at this place, rusticating for a few days, in order to be the better fortified against a Session of Parliament. It gave me much pleasure, as it brought proofs of my not being forgotten by an old friend whom I most highly

 esteem;

esteem; and something the more, as it flattered my vanity, in making me believe that I was not altogether mistaken in part of those considerations which you permitted me to lay before you. Your Lordship perceives from hence, that I can sometimes be on the same side with a Scottish mob, *interdum populus rectum videt;* and in this instance, I think them right when they found themselves on your talents and perseverance, and the probable consequences of a good beginning. Reformation is most difficult at first; but when some advances are happily made, the good effects, being felt, afford a sensible evidence, which operates more strongly than any previous speculation, and must create a shame of relapsing.

I rejoice much to hear that your Lordship hath turn'd your thoughts towards the improvement of the Laws of your Country. Such hands as yours are fitted for such Undertakings; whereas others, not so well informed, or not so well intentioned, often spoil what they pretend to amend. If a scheme of this nature were sent up, you might depend on my best endeavours for your service; for, however I may of late have been thought of, I assure you, with the strictest truth, that there is not a man in the united Kingdom who considers it as one more than I do; and, upon this principle, would more zealously promote the true interest and welfare of Scotland. But, as to the Bill passing *without alterations*, Your Lordship, who had long experience of our Parliamentary Genius, of the disposition to amend the English Law, and of some attempts relating to your own, can judge, as well as I, of the probability of such an event. It would be impertinent to put you in mind of another matter; that, unless some of your Countrymen here are taken into the original project, many obstacles may arise.

The recovery of your people from their Ferment about the Edinburgh Bill, is a good Symptom. I hope they also are, or soon will be so, from that about reading the other Act of Parliament in the Churches; for, whatever becomes of your Law, your Ecclesiastical Affairs are too sacred for me to meddle with. As to those of your Manufactures, they have my best Wishes, and shall never want any assistance in my power.

I hope the becoming concern, which you say shews itself in your part of the Kingdom, on the Queen's death, may be looked on as an evidence of their affection to the King, his family, and Government. As the Blessing we enjoyed in her life was public and universal, the misfortune of her loss must be equally extensive.

After mentioning the Subject, I can add nothing more, but that I am, with perfect truth and Respect,

My Lord,

Your Lordship's most obed^{t} and faithful humble Servant,

HARDWICKE.

I hope Mr Ross remembered to return my hearty thanks and Compliments for your kind present, which did credit to your Fishery.

No. CLXXXII.

Mr P. Murdoch to Mr John Forbes, dated from London, 14th January 1737-8.

My dearest F.

I UNDERSTAND, by a Line from our good friend which I received since I came to England, that you and he wrote me from Colloden, which I am sorry I never received; for I have been extremely uneasy, not knowing what was become of you, nor what you were doing. My only resource was, to enquire at Mitchell, who gave me what satisfaction he could. In the mean time, my dearest J. I did not impute your

silence

silence to unkindness. As I feel no decrease of friendship on my own part, I am as little jealous of it on yours. I know you love me, and ever will; and nothing in this world can ever interest me so much as your Welfare. It is a great comfort to me, that Mitchell loves and esteems you. He is of opinion, as I always have been, that an agreable match would make you happy and independant; and since your father does not insist for money, it is very hard if you cannot find one to your mind in a Country where there are so many fine Women, and where I believe there is more virtue and good sense than in any other. As to my own affairs, I have given up with travelling for good and all. Mr. Vernon has offered me a snug little Benefice down in Suffolk, which I am to be put in possession of in a few weeks, and where I propose to pass the remainder of my days in study and retirement; for the bustle of this world is vanity and vexation of spirit, and true happiness must spring from within; that is, from a Mind not tyranized by violent and outrageous passions, and from a consciousness of doing one's duty in the station where Providence has placed him. For the rest, after the necessarys of life are ensured, it is no great matter whether the sphere one acts in is wide or narrow. You need say nothing of this to any body but to my Lord President, to whom I offer my most humble respects, and to honest George.. Remember me to Mr. William & your friend Dugal. Write me immediately how you are, and what you are doing. Direct, at Commissioner Vernon's, in Grosvenor Street. Adieu, mon cher Enfant; porte-toi bien.

PAT. MURDOCH.

P. S. When I was at Geneva, I payed for you, to Chappreys, 3 Spanish Pistoles; & 2 Mirletons to Bonnet. I should not so much as mention this, considering how deeply I am every way indebted to your father and you; but not being in a Condition at present to make any remittance to my Sister in the Country, as I intended, if you are in hand at present, or some time hence when you are, I would beg you would give to the above value to And^r Martin, who will deliver it to my Sister, to be sent to the Country. I saw your friend Dupuys at Paris, who talked of no less than making you a visit; but I told him it was by no means seasonable. I am a litle disobliged at him, for recommending to me a Scoundrel who picked two Guineas from me before I left London, and not procuring me payment when I was at Paris. At the same time, whatever that Gentleman's real Character is, I reckon myself under very great obligations to him for his friendship to you.

No. CLXXXIII.

Mr John Drummond to the Lord President; dated London, January 31st 1737-8.

Dear Sir,

IT's with no small satisfaction that I hear of your health, from our friends come up to Parliament; and at the same time, from all hands & parteys, what I always expected you would prove, an honour to your Country, and an ornament to your employment; a lover of equity, and dispatch of Business in a regular way; and to convince you, Sir, that it's from all parteys, I make use of the words of my Lord Chancellor & of my Lord Carteret; and the former added, that you had only made a beginning; and that you would bring it farther still, without peevishness & insolence, too common to some of your Brethren. The Man who was to engrave the Tapicery of the House of Lords, to whome you was a subscriber, has not apeard yet this Session; but I shall enquire after him. I hear Complaints of what ought not to be known

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in a trading Country, that Englishmen, having stock in their own names in your New Bank, coming to die, their heirs must pay arbitrary fines or compositions to your Commissary Court, at proving of their Wills, or interest. If that be not rectified, I must have a Clause in an act of parliament; otherways no purchasers will be found here, or who will advance money on that stock; whereas in London, ofme Gentlemen pledge stock to raise money, to finish a purchase, or to marry a Daughter, till other Money come in. I have been in England almost three weeks. I left Antwerp the beginning of this Month, and must return again as soon as the house will permit. We have hitherto an easie Session; Fryday the Army will bear a strong debate. We expect no motion from the Prince's partey; if it should come, the K. is provided against it. Sir Robert looks well; and I am with much respect,

Honoured Sir,

Your most humble & most obedient Servant,

JOHN DRUMMOND.

No. CLXXXIV.

Mr P. Murdoch to Mr John Forbes; dated from London, 2^d Febry 1738.

I RECEIVED yours, my dearest Forbes, and am charmed you should not be averse to the advice I gave you: 'tis what I am sure your father, & all that wish you well, will readily concur in. For speaking to him on the subject, you can find no difficulty, if once the thing were ripe for proposing it to him. On these occasions there need no flowers or Ornaments of speech; upon Business, people ought to speak plain their meaning; and not only on this, but every other subject, you ought, without going out of the bounds of respect and duty, to talk as frankly to him as to any other Man. But it is necessary first to look out for a person suitable; and if you have made a right choice, there will be no difficulty, either in proposing it to him, or obtaining his consent and encouragement. I am, perhaps, not the fittest person to direct your choice; but the infinite concern I have for your happiness obliges me to give my Opinion upon the qualifications you ought principally to have in your Eye.

1. Every Gentleman owes to his friends and posterity not to bring into his family but one of an equal or rather superior birth. In the vicissitude of humane things, a good parente is very often all that a Man has left, and that sometimes retrieves his affaires when otherways he should be lost.

2. I should take it for a bad omen, if you were conducted in your choice by a fond and violent passion; of which there so rarely comes any good, that if one finds himself happy it is but by accident. He has run the same risque as a Man that has passed a narrow Bridge blindfold. The degree of Love one ought to have for a future Spouse is that which arises from well-founded esteem and cool reason, and which will always be rather growing than declining: whereas all your Goddess Brides are reduced to mere Mortals in the operations of one night. One thing with regard to Beauty is indispensible; a Graceful form and Stature, blooming or rather vigorous health, with a natural turn to cheerfulness and gaiety, that she may not introduce a diminutive, sickly, melancholy race.

3. The qualitys of her mind are a great deal more difficult to distinguish. Young Women are very often close hypocrites; or if they are not, they at least do not know themselves what sort of wives they are likely to make. Their situation and circumstances are so entirely altered by matrimony, that it is no great wonder if themselves

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are so: yet there are marks that rarely fail. We hold every thing good or bad from Nature, Education, and Example; and from these, variously combined, we can with tolerable Certainty fix any Man or Woman's character. If in a family, for Example, there have been several examples of Women that have turned out whimsical, extravagant, lewd, or ill natured, a prudent Man would be shy to have any thing to do with the Race. If, on the contrary, a Girl has been rear'd under the eye of a virtuous Mother and virtuous relations, she bids fair to follow their Example. There is a general Character attach't to each family, which is publickly known, and which ought not to be overlook'd in the present case. But above all, the Company one keeps, or affects to keep, is a mark without any exception. Birds of a feather fail not to flock together. A Lady's behaviour too with regard to publick Companys and Spectacles shews her disposition. If she is continually gadding about, and filling up her whole life with them, she shows herself a Votary of pleasure, and unfit for Domestic cares and tenderness. If she lives recluse altogether, her nature must be sower and unsociable; but if, without fondly running into either extream, she is equally easy and chearful at home and at the Ball, her breeding and good sense will be justly admired. For money, I say not a word about it. If it comes, of course it is not to be refus'd; but ought never, even to a much poorer Man, balance other Considerations that are essential to Domestic happiness. After all, I am not in the least doubt but that, if you set yourself seriously to work, you may find out a person that shall be the solace and comfort of your life. It is not enough to consult our honest friend G., or any other Man that should have the like tenderness for you: you must have a female confident, who loves you, knows the world, and the Characters and private history of families. Such I take the Mrs Kennedys to be, and that you cannot have more faithful or more disinterested Counsel than in that worthy family. When, by such advice and assistance, you have fixed your choice, cultivated a little personal acquaintance, and had a tolerable prospect of success, then is it time to open the matter to your father, who cannot fail to contribute all in his power to your happiness, and will wish to see himself increase and multiply in his descendants. Think seriously, my dearest J., on this affair: you will find what an agreeable change it will make in your Circumstances, manner of living, and temper. If one is to marry at all, the putting it off serves to no good purpose. An old Batchelor grows unfit either to give or relish pleasure; and, if he marrys, dyes off without the satisfaction of seeing his Children grow up to support his old age. I give you my promise, if that can be any inducement, to come and stay a twelvemonth with you, to be a witness of your happiness; and to see it compleat will be the most sensible to me that I can have on this side the grave, if I was to double the years of Nestor. To convince you of the truth of this, I know I need not use many words: we know each other; that is enough.

My Love to honest G. I will write to him and other friends when I can get franks. All your acquaintances here are well, and salute you with great affection. Thomson has writ a Tragedy *; whereof the Town is in great expectation.

Yours, with unalterable truth,

P. M.

* This was his Agamemnon.

No. CLXXXV.

Mr Murray (afterwards Earl of Mansfield) to the Lord President.

My Dear Lord,

I THIS instant had the favour of yours; and you will forgive my answering it directly, tho' in a Word, rather than to wait in hope of an opportunity of writing more at large. I am very seriously concerned at the account you give me of your health; and I am afraid it is a consequence of too close an application, and too much anxiety. You have undertaken a great work; and, by all the Accounts here, you have already succeeded beyond what any man could have thought possible in so short a time. The best Argument I can use to you, to manage your health, is, to desire you to consider of what importance it is to the Public.

Was you known here no otherwise than by the great Character you have acquired in the Office you now enjoy, which every body is full of, I think you would find support against the Opposition you apprehend; but you have so many personal friends of all denominations, that were you quite retired from the world, and leading a private life, the Person you mean would be wiser than to engage in so unreasonable and so personal a contest with you, be his inclinations what they will.

I am, therefore, fully persuaded in my own mind that you will not be opposed. If you are, you may depend upon every assistance in my power. I will speak to all my friends and acquaintance in the House, as if it was my own case; and I will mention your name to such of the leading members as I have familiarity enough with to speak to upon such a subject; with whom I know it will have great weight.

Unless an opposition were certain, I should think you did as well in not writing to the Persons you mention, and others whom I suppose you intend. I think to most of them my speaking in your name will have the same effect; and if you were to write at all, I should think it might be more proper to secure some of your friends in power.

Ross has wrote to you with regard to our want of proof of the manner in which the money has been expended; to which your two members can say nothing, and which is necessary to be proved, whether the petition be opposed or not. I almost wish that some opposition may be set a-foot, that I may have once an opportunity of giving some small mark, with how much zeal and real gratitude I am,

My Dear Lord,

Lincoln's Inn, 18th Feb. 1737-8.

Your most Affectionate and Obliged hu. Servt,
W. MURRAY.

Note.—The approbation of the great and the virtuous, and of conscience, is the most grateful reward of merit; and perhaps few have enjoyed that satisfaction in so eminent a degree as President Forbes. Mr. Murray (Lord Mansfield) was now himself rising into distinction, and became so much the object of public admiration as to draw forth the Epistle of Mr. Pope, from which the following lines are here inserted, as they shew how early his abilities were conspicuous:

Grac'd as thou art with all the power of words;
So known, so honour'd, at the House of Lords;
Conspicuous scene! another yet is nigh,
(More silent far) where kings and poets lie;
Where Murray (long enough his Country's pride)
Shall be no more than Tully or than Hyde.

Imitations of Horace—Epistle to Mr. Murray, Book 1. *Epistle* 6*th. Published between* 1730 *and* 1740.

Lord Mansfield enjoyed, to an extreme old age, the applause of his country, and the full possession of the powers of his exalted mind; and lived to witness and publish his opinion of the French Revolution.

No. CLXXXVI.

No. CLXXXVI.

The Duke of Argyll to the Lord President, Dated London, March ye 25th, 1738.

My dear Duncan,

I HAVE received your Letter, with your state of the Island of Tyrie; by which I find, a young Man, who could hope for thanks from those who were to succeed him, might make advantage of that place. You know I am not in that state; but, however, I am not the less oblig'd to you for your constant concern & anxious care for every thing that in any degree relates to my Interest or Welfare. One very poor return I can make you; which is, to let the World know, that I am a very Minister if I am not your most faithfull Servant. From this you may believe that I could have no greater pleasure than the hearing of your Recovery; &, next to that, I am glad to find Doctor Clark has subdued you: I say subdued you, because I can make no doubt but you strugl'd most imprudently hard to make your way to the North. I hope, & indeed think, the Parliament cannot sit long, tho' they have at present before them an affair of the greatest concern to this nation that I believe any Parliament in this Country ever had before them: for my part, I cannot conceive that we have more than one party to take; that is, if ye honour, dignity, & Interest of Britain, are to be considered; and I hope our Ministers will not lay those considerations out of the case, altho' the doing their Country Justice should in some degree interfeer with their private interest. The moment we are at liberty, I shall make the best of my way to Stony Hill, where I hope to find you in health to doe as you did, but in prudence obeying Doctor Clark's directions. I am,

Dear Duncan,
most faithfully Yours,
ARGYLL & GREENWICH.

No. CLXXXVII.

The Lord President to Mr Scrope, dated Edinburgh, 30th March 1738.

S^r^,

A PIECE of Intelligence I have just received puts me under the necessity of giving you the trouble of this Memorial; which, if needfull, you will be so good as to lay before Sr Robert Walpole.

In the 5th year of his late Majesty, an end was put to the claim for an excrescent equivalent, by granting to the Creditors of the Publick in Scotland an Annuity after the rate of 4 ℔ Cent. on their Capitall, redeemable by Parliament; and the Crown was authorized to incorporate those publick Creditors, which was accordingly done, and they were incorporated by Charter, by the name of The Equivalent Company.

In the first year of His present Majesty, a Charter passed under the Great Seal directed by the Treaty of Union to be used for Scotland, erecting such of the Proprietors of the Stock of the Equivalent Company as should subscribe for that purpose, into a Banking Company, under the name of the Royal Bank of Scotland; and the Company so erected have carried on with success the Business of Banking down to this time.

One of the means this Banking Society used to recommend itself to the favour of the nation, in rivalship with the old Bank, was, to take first £20,000, and then £20,000, more of the monies intended for improvement of Fisheries & Manufac-

tures, and to hold that money at legal interest; which has enabled the trustees for those improvements to carry on their undertakings hitherto with success, and has been no considerable loss to the Bank, because it supplied them with so much cash to carry on their Business, without putting them to the necessity of making Calls on the Proprietors for that end. As the Banking powers of this Society cannot last after redemption of the Stock, the Proprietors whereof are incorporated; and as the trustees for the Manufactures found it very convenient for them to have the Publick money so lodged, that they could depend upon the punctual payment of the interest; a proposal was set on foot some years ago to apply to the Crown for a new Charter, granting to the Royal Bank a perpetuity of their Corporate Capacity, with powers of Banking even after redemption of the Annuity to which their Proprietors are entitled. In consideration whereof, they were to hold the £40,000. they had in their hands of the Monies intended for improvements at legal interest, so long as it should be found necessary to suffer that Money to lye at interest.

And, accordingly, an humble Petition was presented to His Majesty by the Royal Bank, reciting of what service they had been, and might still be of, to the improvements in Scotland, and praying for a perpetuity as aforesaid.

This Petition was referred to their Advocat & Solicitor Genl, who had several Meetings with the Directors of the Royal Bank; in which it was always agreed, that the said Bank should be obliged to hold the said £40,000. at legal interest; but there was some diversity of opinion as to the manner in which the settlement should be concluded, which hindered matters to be finally adjusted. But it was still understood, that the Directors of the Bank were to make no progress towards obtaining their Charter, without satisfying the trustees for the Manufactures that they were to be bound to hold the £40,000. as aforesaid.

Nevertheless, I have just now been informed, that the Directors of the Royal Bank have lately, without the privity of the trustees, applyed to his Maj^{y} by petition, praying a new Charter, which shall give their incorporation perpetual endurance; That this Petition was of course referred to his Maj^{ys} Advocat or Sollicitor; and that there is a Report made upon it, certifying that His Maj^{y} may lawfully grant a charter as prayed by the Petition; but without taking any notice of the £40,000. to be held for the conveniency of the improvement of the Manufactures in Scotland. This unexpected step alarms me very much; and tho' I agree in opinion with my Lord Advocat, that His Maj^{y} may lawfully grant the perpetuity sought; yet as it is of Grace only that he is to grant it, there is no doubt he may make it a condition of that Grant, that the Bank do hold the said Sum of £40,000. as they hitherto have agreed to do.

And it seems to be the more necessary to bind them down to this, that if they obtain their perpetuity without it, we shall have two perpetual Banks in Scotland, whose Business it will be to lend Money, and who, if they can agree, may carry the Business of lending so far as to make it impossible for the trustees to find a sufficient security for the public money; at least, for answering punctually the interest of it; w^{h} must prove a great discouragement to the scheme of improvements, how successfully soever it goes on at present.

After what I have said, I should still hope that it is not the intention of the Managers for the Bank to do, what the manner of their application gives ground to suspect; but still it seems to me necessary, in a matter of this kind, to have some security from the Company, that they will do what's expected before the Charter pass. The Assembly of the trustees stands adjourned for some days; which is the reason why I, as one of them who have the improvement of this poor Country very much

much at heart, give you the trouble of this, that you may make the proper use of it, to prevent a surprize, if any is intended.

I am, &c.

Dear S^r^, Ed^r^, Same Date.

I blush to give you so much trouble; but there being none but yourself to whom I can resort in my own & my Country's distresses, I must even go on as usual. The inclosed Letter or Memoriall, tho' ill wrote, is intended to be ostensible, and, if necessary, to be made public use of. If you can take the Trouble to read it, you will understand what follows in this letter, w^h^ is only for yourself; and which gives me the spleen to a very high degree, as foreseeing what mischief to the Publick, and to those whom I wish extremely well to in the management of it, such sort of Conduct, and the spirit from whence it flows, may produce. The Managers for the Bank in this project are, Lord Justice Clerk, Lord Monzie, and the Advocat, who are also trustees for the Manufactures. Some years ago they agreed, by a formal writing, to hold the £40,000.; but upon being told then, by a great Man who was their Governour, that they might have their Charter without this clog, they found out one difficulty after another to postpone the Settlement, whilst I was in the course of seeing you in London once a year. They made no attempt for seeing what fate it must probably have; but now, that my back is turned, you see they put forth the cloven foot, and in a clandestine way endeavour to steal a favour, w^h^, sued for after telling the whole truth, could hardly be without some condition obtained. It grieves one to think, that the projectors of this surprize to overreach the Manufactures are themselves trustees for those Manufactures, and trustees who are fond of many projects, in w^h^ I have the misfortune to differ with them. As this is a matter of consequence, w^h^ must in course pass thro' your hands, I leave it to yourself to make what use you think fitt of what I suggest to you, because you can judge much better than I can, and have at all times employed that Judgment for the benefit of, &c.

No. CLXXXVIII.

From Lord Cornbury to the Lord President; dated London, April 18th, 1738.

WITHOUT waiting, My Lord, to enquire when is the Post day, or by what hands I can transmitt this Letter to you, I feel an impatience to write down my acknowledgement for yours the moment after I have received it.

I have always wished to love the Publick better than myself, as the more honest and reasonable affection; and, in my very little sphere of action, have always endeavoured to prefer the interests of the Publick to my own; and upon this principle, I congratulated myself that I could feel a Joy in your being intrusted with the property of Scotland, tho' the care of it called you from this part of the World, where the goodness you began to express for me would otherwise have flattered me with a prospect of much pleasure, and of many advantages, from your acquaintance, from your example, and perhaps you might sometimes have allowed from your advice too.

With these thoughts of you, My Lord, very frequent and very sincere, it could not but be a great satisfaction to me to find that you retained any of me; especially that you did me the Justice to believe that I should have a pleasure in serving you wherever it was in my power; and I could heartily have wished, if it might have happened without farther trouble to you, that the proof I desir'd to give of my regard for you could have been in some point more material.

You overrate this much. I am happy, however, that it has given me an opportunity of hearing of you, which I often endeavour to do, and of knowing that you continue your goodness for me, which I will endeavour to deserve better; and tho' it is very unlikely that it should ever be in my power to express my regard for you personally, otherwise than in words, yet I shall have the pleasure to think that your Character puts it in my power to serve you (unless I mistake the means) the same way in which I mean to serve myself; which is, with the sincerest good-intentions, and with the best of my ability, in serving my Country. Whoever means that, will be, as I am with very great esteem,

My Lord,
Your Lordship's oblig'd & obedient
humble Servant,
CORNBURY.*

No. CLXXXIX.

Mr Murdoch to Mr John Forbes.

My Dearest F.

I RECEIVED your's, and am quite charmed with the account you give of your affairs, and your agreeable way of living with your father. I had heard a little of what you tell me, and the same Character of the person. I knew the Brother last time I was abroad, and think him a young Gentleman of good sense and temper, and I believe the whole family have that Character. How happy shall I be, my dearest J. to see you safe in the port of life, after all the storms past, and all the dangers that young adventurers are exposed to. In the mean time, your Father's advice is certainly worthy of his own prudence; besides what particular reasons of Convenience he may have, it is best in these cases to do nothing rashly, that a man may know his own heart, and his Constancy. When people enter headlong into such Engagements, they as quickly repent of 'em; but when one acts upon motives of deliberate reason, as well as passion, the case is different; when not only affection, but a well-founded esteem, have subsisted already for a considerable time, enjoyment will not destroy but continue them; and the married state will be of all others the happiest, including all the joys of friendship as well as love, multiplying all the tender and social Affections, and easing all the pains of life, by sharing them with a faithful partner. As to my own affairs, which you so kindly enquire after, you know I am fixt here in a 100£. living, with which, thank God! I am very well content, when I see the Misery that people born to no fortunes are reduced to, when they take it in their heads to throw themselves into the grand monde. The dutys of my Office are by no means disagreeable; and the solitude I live in, tho' sometimes a little irksome, has its conveniencies. If I had Books, I want not time; and I am pleased to find, that so long rambling has not abated my love of study. When I came hither, my house was in exceeding bad order. I have now fitted up a Parlour, Bed Chamber, and Closet, to my mind; and hope to be snug and decent enough next Winter. At the same time, this has emptied my pockets, and disabled me from making a small remittance which I intended for my Sister. This forces me to put you in mind, if you have not done it already, of that 5£, I formerly wrote you of, that when you have a convenient occasion, you would transmit it to Frank

* This was the Nobleman alluded to by Mr. Pope in the following lines:

Would you be blest, despise low joys, low gains,
Disdain whatever Cornbury disdains;
Be virtuous, and be happy for your pains.

Paton

Paton at Dumfries, for her use. I told you, you remember, that I had disbursed near that sum for you when I was last abroad; which, however, considering all that I owe you, I should never once have mentioned, if necessity had not compelled me. I had not saved one farthing in my last jaunt, and at the same time I found myself obliged to do something for so near a relation, who, by reason of continual sickness, can do little for herself. My dearest J. I. have nothing to add, but that you continue to live with your Father as you are now doing, and to follow his advice in all things, as the best and sincerest you can use. Read history and morality for use, and other things for amusement only. Cultivate friendship with the Gentlemen of your Neighbourhood; make yourself agreeable to your relations; and think not of any jaunts either to Holland or London, till you come up as Member of Parliament. Thomson * cursed like a heathen, that you came not when your Father went out: perhaps it was not then proper; but now, as you will be settled in the World, and as the Captn will probably have his turn served by the time this Parliament is dissolved, I would have you think seriously of it; and be preparing things de longue main, by rendering yourself popular and agreeable to the Country. It gives a Man a certain distinction, and enables him to serve his friends; if he is an honest Man, gains him universal esteem; and as your Father has served the Goverm^{t} all along upon such generous terms, I think it were no unreasonable expectation in you, to hope for some easy place in the Revenue, or so. When you once have a family, you will find what a difference 4 or 500£. p^{r} Ann. will make in your affairs. But all this you ought to keep secret, and mention to your Father only, upon a proper occasion.

My kind love to Dr Frazer & my Brother Baillie. I embrace you with my inmost soul, and ever am

Yours,

Stradishall, 15th Aug. 1738. P. M.

No. CXC.

Offer from the Duke of Argyll of a Commission in the Blues, to the President's Son.

My Lord, 24 Septr 1738.

THE Duke of Argyll intended to have wrote to you himself to-day; but some Company coming in hindered it; and not to lose any time, he has commanded me to acquaint you, that he has just received advice of the death of the Quarter-Master to the King's troop, in the Royal Regiment of Horse Guards, of wch his Grace is Captain; and desires to know if you please to let your Son accept of it. The Quarter-Masters of that Regiment are on a different footing from other Regiments; they have the King's Comission, & severall people of quality have been quarter-masters in it; particularly, lately, Captain Fielding, Lord Denbigh's Brother, who purchased a Company of foot with what he sold that Comission for; and that if your Son takes it, it may be a means of getting forward if an opportunity offers, or he may afterwards do as he or you thinks proper; and it is his Grace's opinion he should take it. My Lord Duke desires you will let him have your Answer as soon as possible.

I am with all respect,
My Lord,
Yo^{r} Lordship's Most Obedient & most humble Servant,
JAMES COCKBURN.

I had forgot to tell yor Ldsp, that the pay of the Quarter-master is eight shillings & sixpence a day.

* The Author of the Seasons, &c.

No. CXCI.

The Lord President to The Duke of Argyll, dated Culloden, 6th October 1738.

My Lord,

LAST post brought me your Grace's Commands, in a Letter from Mr Cockburn, of the 24th of September; ordering me to acquaint you, without loss of time, whether I would consent to my Son's accepting a quartermastership in your Troop.

It would be to no purpose for me to attempt to express my Gratitude for your goodness to me, since you know, better than I can well tell you, how my heart is strung; and it was to as litle purpose, if your Grace will pardon me to say so, to have asked my consent to my Son's accepting what you thought proper for him; what is usefull and reputable for him in that way you know infinitely better than I do; and I am confident the friendship with which you have honoured me, will always guide you in what you propose for him. The possession of your Grace's good will upon principles that I think honest has been the chief pleasure — nay, indeed, the pride of my life. Now if my Son, tho' not at present so perfect as I could wish him, should under your Eye improve, so as to share any part of your favour, as I am confident he is honest and has an hereditary veneration for your Grace, it would cut off all further sollicitude about the things of this World; and I shall dy, whenever that shall be my Lot, with great tranquillity. If what your Grace proposes succeed, you will be so good as to cause some one give me notice when I should order him to wait on you. I am at present confined to my Chamber by a sore shin I had some days ago leaping over a Ditch I am makeing; but I am in hopes of being soon at liberty, when I shall move Southward. I am most faithfully, as I ever have been, Your Grace's

D. F.

No. CXCII.

The Lord President to Capt. Alexr Forbes, Royal Gray Dragoons.

Dear Sandy,

YOURS of the 19th of July, touching the effects of your Brother William, and your Purpose of vesting that and your own money in Land, is now before me. What you find in his Inventary, that ther is 4,000l. of his money in my hands, is true; he remitted it when he resolved to leave India; and I, by a Letter to him, acknowledged the receipt of it, which Letter may probably have come to your hands.

That sum, as soon as I could, I applyed to pay off so much of my Brother's debt; and of course it carries interest from the time it was so applyed, which I cannot at present exactly recollect, till I come at my Papers. Ther will be no occasion for you or Hugh to make up any title to it, other than the Will which you have already proved, and you may count upon it as so much Cash.

As for your purpose of laying out your money in Land, I approve of it in generall; but must insist with you not to be over hasty, and to look well before you leap. You can change hands whilst your Effects are in Money; but when you have once fettered them in Lands, you cannot so easily draw the Stake. In the Purchase of Land, you ought, according to my apprehension, to have two things in view: The one, to avoid settling in the neighbourhood of this City, where lands are less improveable than they are at a greater distance, where they are dearer in the rate of purchase, and where they are eternally shifting Masters; occasioned chiefly by the mischievous turn to idleness and expence, that the young Fry brought up in this neighbourhood are bred to: a

circumstance

circumstance which every one who sets up a family, whether he has Children of his own or no, ought to attend to. The other (and with respect to it I may possibly be partiall) is, that you ought to think of forcing as near as may be to the nest from which you came. Had S[r] David & Co[ll] Forbes, whom you came early enough into the world to be acquainted with, settled near the nest, they would have strengthened it, and made a much more considerable figure themselves than they now do, when lost in the crowd of much greater fortunes in Lothian and Fife, where their Successors have no friends to make them significant, or to support them; in short, dear Sandy, if we are near to one another, we may be useful to each other; but being separated, the memory of the relation is in a few generations lost, and ther springs little advantage to either in the mean time. Having said so much, you will easily observe that I am against your thinking of Carkerry, & positive in my opinion that you should look for a purchase in the North. Cromerty would answer that view well enough; but I take it, there is another Gentleman already in the Play, who has made considerable advances that way, and is likely to pay for it more than I should consent to your paying for Land: Gold may be too dear bought. But tho' there is nothing just at this moment fit for you in the Market, you may set your Mind at rest ther will very soon. The greatest part of my neighbours are in a very tottering condition. I am sorry that ther is no great appearance that Castlehill, Clava, and several others can keep their estates; and should these come into the Market, they would, I believe, answer your views, I am sure they would answer mine: I therefore think you ought to have some patience. William Forbes tells me, he can find hands for your Money, but of which you may easily call it when ther shall be occasion. The Interest will bring more Money into your Pocket than the rent of any Lands you can meet with; and I shall have it in my Eye, whenever any Lands fit for you, according to the views I have already explained, offer, to lay hold of them for your Service. In the mean time, show this to Hugh; compare Notes with him, and tell me whether you approve of my sentiments. I am just going North, after being wrought to a jelly by the Rascally Business I am tyed to.

I am, dear Sandy, truely yours,

DUN. FORBES.

Edinburgh,
7th August 1739.

No. CXCIII.

The Lord President to Lord Hardwicke.

My Lord,

THE latter end of June a Letter from M[r] Meriot, directed to the Lord President of the Session at Edinburgh, came to my hand, inclosing the Order made by the House of Peers on the Lords of Session in Scotland, to make up a Roll or List of the Peers of Scotland at the time of the Union, whose Peerages are still continueing; and to state in such Roll, or List, so far as the Lords of Session shall be able, the particular limitations of such Peerages; and to lay the same before the House in the next Session of Parliament.

When I have acquainted your Lõp that our Records, through many Cross Accidents, at, & long before the Usurpation of Oliver Cromwell, are so broken and interrupted, that we cannot by their help come at the limitations of Peerages; and when you reflect, that we have no Authority to bring persons possest of or claiming Peerages

before

before us, or to cause them exhibit their patents, or other titles, you will easiely see it is impossible for us to give to the Peers that satisfaction, which the Order seems to expect; and that nothing less than ane Act of Parliament, oblidgeing all Persons, ag^{t} a Day certain, to claim & exhibite their Titles, can enable us to do it. I do not, however, wonder that such ane Order shou'd be thought of, by noble Lords, who do not know the state of our Records; but I am confident my Countryman, my Lord Ilay, has not been in the House when it was made; because he cou'd have satisfied them, the execution of it, as it stands, is impracticable.

Your Lõp by this time sees the Court of Session can do nothing to purpose on this Order; but what I chiefly presume to give you trouble on is a matter meerly of form, which alarms some of us, and in which I, as your Old Friend Duncan Forbes, and not as President of the Court, beg your advice. We are, you must know, when we are seated, very high & mighty. Our Soveraigns, ever since the Union of the Crowns, when they had any Commands for us, did us the honour to write to us; and some of us imagine, that when the House of Lords are pleased to make any Order upon us (otherwise than in the ordinary course of Judgement on Appealls), it ought to be notyfied to us, and transmitted to us, in some way different from what on this occasion has been followed, a Letter from the Assistant Clerk.

Orders made by the Lords on the Judges of England require no Notification, because the judges either are, or are supposed to be, in the House; but that not being our case, some form of Notification ought to be established.

Orders made in Causes at Appeall are brought back to us with the cause, are part thereof, & regulate our proceedings.

I can recollect but one instance since the Union, until this time, in which the House of Lords made any such Order as I now speak of on the Court of Session; and that was on occasion of the Act of Parliament of the 4th of the late King, which created to the Court of Session a new jurisdiction, of hearing and determineing all exceptions taken by Persons interested in Estates supposed to be forfeited, ag^{t} the late Commissioners of Inquiry, &c.: In execution of this Act, the Court of Session proceeded to give judgment in many cases which the House of Lords thought did not fall within the jurisdiction then given to them; and therefore the Lords ordered the Court of Session to lay before their Lõp^{s}, their reasons for takeing upon them to proceed in these Cases. This Order was transmitted (as I have been told by my Brethren) by the late Lord Macclesfield, then Lord Chancellor, and the Answer of the Court was returned to his Lõp; tho' I can neither find the Order nor the Ans^{r}, nor the Lord Chancellor's Letter, in our books of Sederunt: in such Order was the Business of the Court keept at that time.

For my own part, I must confess to your Lõp, that I am altogether unacquainted with matters of form, or rather punctilios of this kind, and as litle disposed as any man to lay any stres upon them. But if it should be your Lõp^{s} Opinion, as I must own, so far as I have been able to form any, it is mine, that this Order, and future Orders of this kind, should be transmitted in a manner different from that in which this has been sent to us, it will be easie to sett the matter to Rights; and if the contrary shall be your Opinion, the reasons of it will very much determine mine. I beg that your Lõp may, with the same freedom that you have at all times honoured me with, give me your sentiments on this subject, however triffleing it may seem to be; knowing that it will go no further than for the regulation of my private conduct. Some of my Brethren were desireous that I, as President, shou'd write to your Lõp in form; but that I absolutely declined, because it might be unfitt for your Lõp to return me any answer in that Capacity. What you may be pleased to say, in return to this, will be for me and for me only.

I am

I am ashamed for have [having] detained you so long on a subject that is so inconsiderable, compared with what dayly occupys you; but I know you will pardon me, because

I am most faithfully your L̃op's, &c.

Edin^r 7th August 1739.

No. CXCIV.

From Lord Hardwicke to the Lord President.

My Lord, Carshalton, Sepr 27th 1739.

I RECEIVED the honour of your Lordship's letter of the 31st August *, which should have been sooner acknowledged, if I had not been making use of the Leisure of this short vacation in moving about from one place to another. Your Lordship's notion of the propriety of avoiding such disputes as that now under consideration, is perfectly agreeable to your usual prudence and candour; and my mind entertained not the least doubt of what was your own opinion about the conduct which the Court ought to hold on this occasion, even before you particularly stated it to me. As to the right of the case, I will own with great freedom, that I think no point of Right is concerned in it, and am not able to add any thing to what I took the liberty to offer to your Lordship's Consideration in my former letter *; especially being at present in the Country at a distance (I thank God) from all Journals, and books of that nature. But as to the difference (whereon your Brethren seem to found themselves) between the Courts of England and your Court, in respect of the presumption that the English Judges are always present in the House of Lords, it seems to be far from being decisive in this case. Thus much is certain, that the English Judges are called by writ, and have a right to be there; but it is settled by constant and ancient practice, that only two of them attend daily by rotation; and the House frequently makes orders for the attendance of all the Judges, sometimes of the Judges of one particular Court, and sometimes of such as are not gone the Circuits. These Orders are never signified by the Lord on the Woolsack, but always delivered by the lowest Officers of the House; tho' when an Order is made on any particular Lord, who is absent, either to attend the House or for any other purpose, such Order is always transmitted to him by letter from the Speaker. This shews that the non-transmission of the Orders of the House by the Speaker, to the English Judges, doth not arise from their being presumed to be present; for so, à fortiori, are all the Peers, and yet Orders made upon them are constantly so notified.

If the supposition of the English Judges being present, is compared to the Case of a party in a Cause depending, who, after appearance, is always supposed to be in Court, that also would not, according to our rules, afford any argument why the Orders of the House should not so be notified to them; for, with us, Orders made in a Cause must be served either upon the Party or his Agent before he is obliged to obey them, or can be subjected to the penalty of a contempt for not doing it; unless in some few special Cases.

Your Lordship is pleased to make a very polite acknowledgement of my offer to receive the answer of the Court, if sent up to me, and to deliver it to the House with my own hands. You may be assured that I shall never be wanting in my regard to so

* This Letter does not appear.

great and respectable a Judicature as the Court of Session; more especially whilst your Lordship presides at the head of it; and you are fully at liberty to acquaint your brethren, that you are sure this will be done. But you must give me leave to say, that as I proposed this method by way of expedient to avoid disputes, so it must be understood to be on this Condition, that the answer contains no objection or insinuation touching the manner of notifying the Order; for if it does, it must come in, in the common form.—It gave me much pleasure to observe, that your letter was dated from a place of Recess from Business; where I heartily wish you the enjoyment of much pleasure, and the perfect establishment of your health, for the happiness of your Country, and of all your friends; amongst whom I beg you will always number,

My Lord,
Your Lordship's most obedient
and most faithful humble Servant,
HARDWICKE.

The Ld President of the Session, Edin^r.

No. CXCV.

Lady Margarett Macdonald to Lord Milton, Justice Clerk, concerning emigration to America. Dated Sky, Jany 1, 1740.

Dear Justice,

BEING informed by different hands from Ed^r, that there is a currant Report of a Ship's haveing gon from thiss Country with a greate many people disigned for America, & that Sir Alex^r is thought to [have] concurred in forceing these people away; As I am positive of the falshood of this, & quite acquainted with the danger of a Report of this kind, I begg leave to informe your L^dp of the reall matter of fact. In Hervest last, wee were pritty much alarm'd wth accounts, from different Corners of thiss & some neighbouring Islands, of persons being seized & carry'd aboard of a Ship which putt into differant placess on thiss coast. Sir Alex^r was both angery & concern'd at that time, to hear that some of his oune people were taken in thiss manner; but cou'd not learn who were the actors in thiss wicked scrape, till the Ship was gon. One Normand M'Leod, wth a number of Fellows that he had pick'd up to execute his intentions, were the Real Actors of thiss affair. Sir Alex^r never made much noise about the thing, in hop's that thiss Norm^d M'Leod might some time or other cast up; But he has never y^t appaired in thiss part of the world, & probably never will as the thing has made so much noise: he's accomplices have betaken themselves to the Hills, & lately rob'd a Servt of ours comeing from Ed^r, out of pique to his Master; and one of them knock'd him doun, & cutt him over the head terribly. Sir Alex^r is just now bussy indeavouring to detect any of these Rogues that may be yet in Sky, & hopes soon, to apprehend some of those who have left it. Tho' thiss is the real matter of fact, Sir Alex^r can't help being concerned that he shou'd be any ways mentioned in the Story, tho' quite inosent. This affair has made so much noise wth you because of the way it has been represented from Irland, that possibly there may be an intention of prosecuting Sir Alex^r. If that shou'd go on, tho' it cannot be dangerouse to him, yett it cannot faill of being both troublesome and expensive; And therefore lett me begg of your L^p to write to the people of poure above to prevent thiss impending Evell, because a little time may bring the real Actors to a tryall, which I dare say your L^p wou'd rather see in a pannel then imagenary persones that had no hand in the matter. Tho' I have no reasone to believe your L^p will be remiss in any affair of such consiquence

consiquence to us both, my anxiety obligess me to intreate you'll take this affair so much into considderation, that you'll delay no time in makeing applications where you judge it proper; & trust me, Dr Justice, thiss favour shall make me, with more Gratitude than ever,

Your most Obd^t^ & ever devoted Servt,

MARG^t^ MACDONALD.

Remember me to Lady Milton, & the Young Folks.

No. CXCVI.

Genl Oglethorpe to the Lord President.

My Lord,

IT is with pleasure I take any occasion of expressing my affection to your Lordship. Captain Mackintosh gives me this opportunity, who is travelling from the South of Georgia to the North of Scotland. He has been many years in this Country; and behaved himself so well towards me, that I must intreat your Lordship's friendship to him, and shall look upon any favours bestowed upon him as if done to myself. His long absence from his Country is the only reason that makes it necessary for me to recommend him; for otherwise his birth, being the Laird of Mackintosh's Brother, is such as would have made recommendations entirely needless. He will acquaint you with the News here. We have taken two of the Spanish Forts in one day. George Dunbar, who is Licutenant in ye Regiment here, has distinguished himself; he has taken one of the Spanish Launches. We hope, with the Assistance of the Neighbouring Provinces, soon to besiege Augustine. I must not farther trespass on your Lordship's time which is so important to the welfare of thousands, and I believe the best Compliment is concluding.

I am, My Lord,

Frederica, in Georgia, 21 Feb; 1739-40.

Your Lordship's most Obedient humble servant,

JAMES OGLETHORPE.

No. CXCVII.

The Lord President to Lord Hardwicke.

My Lord,

I HEREWITH send you my excuse for not returning sooner an Answer to your Lop̃'s most obliging Letter of the 27th of September, which determined me to undertake that labour, of which the inclosed return is the result. I am in doubt whether it is prudent in me to own, that the whole trouble and fatigue of this Report fell to my share; because, of course, any imperfections that may be in it, bateing those that may be found in some alterations made by my Brethren, must ly at my door; but as it is not fit to conceal any thing from your Lop̃ I freely confess that my Brethren are not chargeable with any escapes that may be met with in it; none of them having given themselves the least trouble about it, except in a few alterations which are not important.

I am satisfied that when your Lop̃ casts your Eye on the Report you will wonder at the uncertainty of it, and be surprized at my talking of it as a work of so much labour and fatigue; but if your Lop̃ was to know, as from very painful experience during the course of this winter I have discovered, the absolute confusion in which all our Records (except those that regard Land Rights) lye, the Insufficiency of the Officers

generally

generally employed in taking care of them, and the total neglect of those who ought to be answerable for those Officers, and ought to keep them in order, you would not wonder why it gives so litle satisfaction, nor would you be surprised at my speaking of it as of what has given me much trouble. I ought to be ashamed, for the sake of my Country, of what I am now to relate; but it would be shameful for me not to relate to your Lop̃, who belong equally to every part of Great Britain, what is true, that since the nations have been united the most scandalous neglect has prevailed in an article very delicate, the keeping of our Records. The Lord Register, whose Province that is, has now a very large, and at the time of the union had a pretty high allowance, for taking care of the Records, Registers, and Rolls. It was his duty to enter all the orders, acts, and resolutions of the Parliament of Scotland, into proper Registers; and as the Votes at Elections of Peers since the Union were to be collected by him, or by his Deputies, it lay upon that Officer to have made some entry of the transactions at the severall Meetings for Election; but your Lop̃ must needs be surprised when you are told, that there is no Record made of any Election of a Peer or Peers since the union, nor any vestige of the transactions at such Elections, except that the qualifications, the proxys, and the signed Lists of the absent Peers at each Election; and the Protestations, are tied up in bundles or bags, and tossed together into a heap in the Register house, without a possibility of being satisfied as to any one question, except one look throw the whole lumber; and when you are informed of what is much more astonishing, that, tho' at the conclusion of every Parliament of Scotland before that in which the union was enacted, all the Proceedings of Parliament were regularly reduced into Registers properly authenticated, yet the Acts and transactions of that Parliament lye still in heaps of bundles unentered and unregistered; and it is now at the mercy of every Rat, by cutting the Packthread with which the several Bundles containing the Resolutions of that Parliament are bound up, to mix them together so as to make it difficult to separate them, and consequently to destroy the Evidence of the very act of the union. I mention this circumstance, not only with a view to satisfy your Lordship that I had more labor than at first sight could easily be suspected; but that, if your Lordship permit me, I may hereafter, when you have more leisure, make use of your intercession to have this gross abuse remedied; and at present I would only say, that a very small sum, under proper direction, will do it; and that if the matter is not speedily looked after, it will in a very few years prove irremediable.

The hurry of Business that attends the conclusion of the Term with us hindered the dispatching of this Packet by the last post; and the fatigue of this day, which is the last of our Term, disables me from giving you any further trouble. I am perswaded it will be none to be told, what you very well know, that I am with a true heart,

My Lord,
Your Lop̃'s most faithful
and most Obed^{t} hble Servant,

Ed^{r} 29th Feby 1740. DUN. FORBES.

P.S. I need not suggest that this is only for your self.

No. CXCVIII.

The Lord President to Mr. William Grant, dated 29th Febry 1740.

My dear Will,

YOU can better imagine than I can make an Excuse for my not returning you sooner my thanks for the hints you so kindly obliged me with, in relation to the Report

port that was expected from us on the subject of the Peerage. That Report is now finished, and transmitted to My Lord Chancellor, to be layed before the House. Prudence might require (because of the small satisfaction it can give, and the many imperfections which may be met with in it) that I should not own it as my work; but I cannot dissemble; and I do assure you, that if it was possible for you to have any tolerable idea of the confusion of our Records; the negligence and ignorance of our Officers; and the contradiction I met with from some of my fellows, from whom I had no reason to expect any; you would rather be surprised that this, such as it is, has been produced, than that it is not more perfect. One thing, however, I think of with some satisfaction; that, though it has lost me several hundred hours extraordinary labor this Winter, the Business of the Court has suffered no discontinuance. When the term ended this day, no cause ripe for judgment remained undetermined; none that, within the Rules of the Court, could possibly have been decided was laid over to the next Term; a Circumstance that has not hapened within any Man's Memory, and of which the Mob are very fond. When the Report comes to your hands, consider it; for I expect two things from your friendship: the one, that you will defend it, at least make excuses for its faults, to the person from whose motion it arose, and for whose sake I undertook the trouble; to whom also I beg you will make my compliments. The other, that when you can find so much time, you will freely censure it to me, that I may avoid mistakes upon any future occasion. By my stile you will observe that I am tyred; and therefor will pardon me that I break off abruptly, by saying that I am perfectly

Yours.

No. CXCIX.

Lord Hardwicke to the Lord President.

My Lord, Powis House, Mar. 13th, 1739-40.

THIS comes accompanied with a Public Letter, serving only to acknowledge the receipt of the Return of the Court of Session to the Order of the House of Lords of the 12th of June last. I had barely time to read it over, before it was laid before their Lordships, who have ordered it to be printed; but from so slight a perusal I am fully convinced it must have been a work of great labour; and cannot but wonder, that in so short a time, and from such imperfect confused materials, your Lordship has been able to lay so good a foundation for proceeding in this great work. I am at present in too great a hurry to enter into all the particulars of your private letter, for which I return you my sincere thanks. But your Lordship's account of the Condition of your Records gives me equal surprise and concern; and as this public occasion of looking into them has brought to light so gross a neglect, I hope care will be taken to remedy it, in which I shall be extremely glad to co-operate. Permit me to suggest to your Lordship, whether it would not be proper, in the first place, to have some regular Representation made in form to the Lord Register, desiring his directions to his inferior Officers to redress this grievance, and to put the Records into proper order, and preserve them with due care. If this produced no good effect, it might perhaps afford a ground for some further application; but of this you are the best judge.

I heartily congratulate your Lordship upon the ending of your fatigue for this time, and wish you much Relief and increase of health from the Recess, being ever, with great truth & Esteem,

My Dear Lord,

Your Lordship's most faithful
and most Obedient Servant,

HARDWICKE.

No. CC.

The Lord President to Lord Hardwicke.

My Lord, Stony Hill, 22nd March 1739-40.

THE letters which your Lordship did me the honor to write the 13th Inst. were brought me by the last post. That which is intended for my brethren shall be communicated when we next meet, and will, I doubt not, give them the same sense of your Lordship's goodness that it gives me. The other gives me a peculiar satisfaction; as it shews that your Lordship enters into the calamitous state of our records with the same sentiments that possess me. The hint your Lordship gives, of making some Representation to the Lord Register before any other step shall be taken, is undoubtedly proper; and whenever the noble Lord who holds that office returns to Scotland, I shall take care that application be made to him; not that I look for any remedy directly from him, as, indeed, the confusion is not properly his fault, and as it may take more money than it might be just to expect from him to put the records in a proper Condition; but that the application for a remedy may be begun by his Lordship, which, if properly seconded, must be attended with success. When I say that the present ill state of the Records is not chargeable on the present Lord Register, I mean that the unaccountable neglect which occasioned that state began as early as the Union, and has been continued down ever since, even when men of business, who are now dead and gone, were employed in that important station. Now, as it will be a work of great labour and some expense to collect, methodize, and enter what has layen since that time in the outmost Confusion, some small aid of money will be necessary, which the Ld Register ought to sollicite; & when the records are once in order, he and his Successors ought to be obliged to keep them so. As the return is ordered to be printed, it certainly will be fully considered, and undergo a carefull examination. What I earnestly beg of your Lordship is, that as you must, in course, bestow some thoughts on it, you will have the Goodness, at a leisure hour (tho' I know few such fall to your share), to let me have your free and friendly censure on it; that, if it ever hereafter be my lot to have such another spot of work on my hands, I may avoid the inacuracies and mistakes into which I may have fallen in this. I ask your Lordship's pardon for giving you so long a letter to read at this time of the Year; and I am very perfectly Your Lordship's most faithfull and most humble servt,

DUN. FORBES.

No. CCI.

From Lord Hardwicke to the Lord President.

My Lord, Carshalton, April 5th, 1740.

I AM just got to this place, quite fatigued and worn down by the attendance of two causes from your Court: Cunninghame agt Chalmers, and the Earl of Selkirk agt Duke Hamilton. But tho' I sensibly feel the labour of going thro' them, yet I conceive great pleasure in the different degree of weight and credit with which your decrees come now before the house, from what they did a few years ago; an alteration which I presaged would happen, and do most sincerely congratulate your Lordship upon the event. At the same time, permit me to ask a few questions, for my private satisfaction only, concerning the single point in the last cause, about which we had a difference of opinion; I mean the decreeing to Duke Hamilton the principal Sums due upon those heritable Bonds, which were comprised in the Bond of Corroboration. I should be glad to know,

whether the Lords of Session were unanimous on that point; and, in particular, what was your Lordship's opinion thereupon, as being the most prevalent authority with me; for both these facts were differently represented here. Your friend, My Lord I., debated strongly for reversing that part of the Sixth Interlocutor, and pressed us much with an opinion of Dirleton's, in his short Latin Tract, *De feudo pecunia & nominum, Quæst.* 5ª & 6ª, whose authority he exalted much. With us in England, particular opinions of Lawyers, delivered in Treatises of Law, are considered as of far less weight than Judicial decisions; and in this case, such decisions as were produced seemed to me to favour the other way of thinking. Neither did any of the cases put by Sir John Nesbit, in either of those Paragraphs, appear to me to be in point to the present. If your Lordship should find a moment's leisure, during this Recess, you would do me much pleasure to let me know very shortly your own thoughts on this Question, together with the principal reasons which determined the judgment of the Court upon it. And if you could add to that some account of the authority of the Book called *Dirleton's Doubts*, and what weight is allowed to it in your Courts, it would enable one to judge a little of Quotations produced from it for the future. It seems to have been a Posthumous Work, and to consist of Collections and hints for private use. I am sensible how barbarous it is to trouble your Lordship, in your short retirement from Fatigue, with the *crambe repetita* of an old cause; but your goodness knows how to indulge the curiosity of a friend, and at the same time will not mention that I have writ to you on the Subject.

I received your Lordship's last favour, and think myself honoured by your approbation of the hint for applying to the Lord Register about the State of your Records. I did not imagine that step would, of itself, have much effect; but it seem'd to be a proper foundation for what you might think right to do afterwards.

I am always, with the greatest truth and Respect,
My Lord,
Your Lordship's most obedient
and faithful humble Servant,
HARDWICKE.

No. CCII.

Mr Murray to the Lord President.

My Dear Lord,

HEARING you was gone North, and not likely to return till the Business of the Session called you, I delayed my thanks for the last letter you did me the favour of, till I could send them by Ross; but unluckily I have lost the opportunity; for I went into the Country during the Whitsun week, to try to get rid of an ugly cough; and upon my return I found him gone.

Ld C. desired me to make you many Compliments upon your Report, and it well deserved them; the search must have cost great labour in collecting the materials. They are put together in a clear method, and the Observations made with great judgement. It was in every body's hands, and most people who read things of that sort read it. It will, I am persuaded, some time or other be the ground-work of a general measure; and in the meanwhile it will be the Rule applied to upon all Questions of Peerage which may arise. Tho' I never was told, I partly guess at the reasons why nothing more was done upon it this year than ordering it to be printed.

I hope

I hope you are returned to Business in perfect health; no man wishes it more, or enjoys with greater satisfaction the many private and public testimonies of the Wonders you have wrought than,

My Dear Lord,

Lincoln's Inn,
10th June 1740.

Your most Aff.
and Ob. hu. Servt,
W. MURRAY.

No. CCIII.

The Duke of Queensberry to the Lord President.

My Lord, Drumlanrig, July 14th, 1740.

I AM really quite ashamed of myself for having left Edinburgh without waiting upon your Lordship. It is true, indeed, that for some days before I sett out I was necessarily engaged in my Lord March's Affairs, which confined me from the moment my eyes were open in the Morning till I went to bed, excepting the interruption of being obliged to dine twice out of town; but whatever weight this excuse may have with your Lordship, to incline you in your great goodness to forgive the omission, it is far from being satisfactory to myself: in short, I cannot quiet my conscience without troubling you with a letter, to assure you that I not onely have, in common with all those who are lovers of their Country, the most perfect respect & value for your Lordship in your publick Capacity, but am, from personal regard & friendship, most sincerely,

My Lord,
Your Lordship's most obedient
humc Servant,
QUEENSBERRY.

My Wife desires me to present her Respects to your Lordship.

No. CCIV.

The Lord President's Answer.

My Lord,

I AM glad the business in which your Grace was engaged whilst you was at Edin' prevented the satisfaction I then wished for of seeing you, because the very Obliging Letter your Grace has given yourself the trouble to write to excuse it yeeld's a more lasting pleasure. The good opinion of the publick is a flattering acquisition, and would tend to make one that had it happy, if it were not sometimes, as I am afraid it is my Case, more the Child of good fortune, than of merite, which with very thinking Men flattens the relish of it. But the good opinion of a Man of your Grace's discerning and disinterestedness, backed with a declaration of your friendship, is somewhat more substantial, and has a real value in it, which, whether it be produced by good fortune or by merite, I am determined to hold, by deserving as well as I can the continuance of it, tho' I may not have had a just claim to the bestowing it upon me. I am glad to hear that the Dutchess's Residence at Drumlanrig has proved so agreeable to her that she has put off her journey to the Southward for some time. I hope she will feel the good effects of her sojourning in this Country, which is with reason much more fond of her Grace, than she can possibly be of it.

I am, &c.

9th Aug' 1740.

No. CCV.

Governor Trelawney to the Lord President.

My Lord, 29th Aug. 1740. Jamaica.

Mr AEDIE has just now brought me the honour of your Ldp's of July last was twelvemonth. Nothing could give me a greater pleasure than to find I have still a place in your remembrance & friendship: to be esteemed & loved by one whom one sincerely loves & esteems must give the greatest joy, as it is a mark of some virtue & honour of both sides. You will excuse me for coupling myself with you in any thing; but in good intentions & disinterestedness I will not yield even to you; in every thing else I knock under, & acknowledge without envy (as I speak it without flattery) your superior merit beyond any degree of comparison. Indeed, the consciousness of my want of abilities to act up to the dictates of my heart has been almost the only uneasiness (worth being called so) I have felt thro' life; "but the thought that Ferdinando can do no more than he can do" has at last quieted me, & I do my best chearfully, without being discomfited with an oversight or blunder now & then; but, like a horse that trips, mend my pace upon it. So much for morals: as to politicks, nothing has been done since the demolishing the Castle of Chagre. We are hourly in expectation of the store ships for Admiral Vernon's squadron, convoyed by two sixty gun Ships, which will enable Mr Vernon to put to Sea wth all his Ships; & we are likewise in expectation of seeing very soon my Ld Cathcart here, with 6 or 7000 land forces, which, with those raised in the Northern Colonies, will give us such a superiority in this part of the World, both by land & sea, that I think the two Commanders may do almost any thing they have a mind to. I am very warm for a project which a great many will look upon as visionary & ridiculous, but I think far from being so; & that is, to restore the Indians to their liberty, and put them into the possession of their own Country, driving out the Spaniards, & only keeping for ourselves a port or two at most in the South Seas to have communication between the two Seas; for the rest of the Country, let the Natives, to whom nature has given it, enjoy it; & let us only have a commerce with them, which is more beneficial than having the land which we could not inhabit. By the best accounts I have, the thing is feasible, & I think right; so I could put my hand to the Plough with pleasure. You will excuse my flow of nonsense; I write as it comes warm from the heart, & from the head too, which I am afraid is too warm, a little heated; but I could not help sitting down immediately to express my pleasure at the receipt of yours, that I might give this to Mr Aedie, who will have an opportunity to put it into a Glasgow Ship that sails after to-morrow; & is to dine with me to-day, that I may drink Collouden wth him tho' not in a Collouden Cup; for, tho' in a Country of Coco's, we have no nut to be compared with yours, the most famous of all nuts I have heard of, unless that which had Homer carved upon it. To all others it undoubtedly has the preference; esteemable for its own intrinsick merit (I mean its capaciousness), as well as that it belongs to a worthy Laird, whom I sincerely value & esteem, and am proud to be reckoned among the number of his friends, tho' in an inferior degree.

I am, wt the greatest respect,
Dear Sr,
Your most Obedient faithfull humble servant,
EDW. TRELAWNY.

No. CCVI.

The Duke of Newcastle to the Lord President.

My Lord, Newcastle House, Octr 11th, 1740.

YOUR Lordship will allow me to assure you, that it was a most sensible pleasure to me to receive a Letter from you, and to find that you had not forgot one who had ever the greatest regard, and, if you will give me leave to add, friendship for you. This being most sincerely my case, you will easily imagine how concerned I was, that it is not in my power to obey your commands in that trifle you have desired. It is some years since I promised my recommendation to the Consulship of Venice to Mr Smith, a Merchant there (in case of a vacancy), at the request of the Duke of Richmond; & afterwards, having forgot that engagement, I gave my Lord Chief Justice Willes reason to expect it for a relation of his, Mr Swimmer. You will see by this, that I was doubly engaged before I had your Letter. I wish I may have any opportunity of convincing you how much I am your humble servant, how sensible of your great merit to your King & Country, & of the many civilities I have received from you during a long & most agreeable acquaintance with you. I sincerely wish you all health, honour, & happiness, & am with the highest esteem,

My Lord,

Your Lordship's most affec^t

& most obedient hum^ble^ Servant,

HOLLES NEWCASTLE.

No. CCVII.

Mr Murray to the Lord President.

My Dear Lord,

I HAD the honour of your's. last night; and I chuse to return you an answer immediately, as I don't know how soon you may have the question started, and because I have very little doubt myself in what I am going to suggest to you. The mischief, and Public inconvenience, of allowing privilege in the cases you mention is so great, that no court of Justice would allow it, if they can by any means avoid doing it. Nay, in cases similar to those you mention, no privilege was ever pretended here in England; for they are in the nature of questions concerning Franchises. Here, if a man possesses a Franchise, as that of Mayor, or any other officer in a Corporation, or is wrongfully admitted a freeman, &^c^. the way to try the right, and to turn him out, is by an information in the nature of a Quo Warranto, which is now very much considered as a civil action. If a man has a right to be admitted into any of these offices, or any other office or Franchise of a Public nature, and an Office as low as that of a Sexton is held to be so; the way to be legally put into possession is by Mandamus from the Court of K.'s Bench. In neither of these cases is privilege pretended to; it is true, these suits, in point of form, are carried on in the King's name, and conclude that the thing complained of is Contra *Pacem* Domini Regis; and it is Rule, that in breaches of the Peace there can be no privilege. Your Actions in Scotland, I understand to be, in form, Civil Suits, without the interposition of the King's name, and without alledging any breach of the Peace; but as I don't intend to propose your determining the Question of Privilege one way or other, I won't pursue the Argument, how far the reason should prevail, tho' the form is different.

Give me leave to suggest to you to follow the example of the Courts of Westm^r Hall, and to refuse taking cognisance, one way or other, of the Plea of privilege, unless it is certified by some writ under the Great Seal.

There is no Privilege of Members of Parliament known to, or taken notice of by, the Common law of England, except the privilege of the person from arrests; but even of this privilege the Courts of Justice never took notice, till it was certified by a writ of Privilege under the Great Seal; the form of which you may see in the Register; and thus it stood till the 13th of W^m^ the 3^d^ ca. 3^d^. Since that statute, in the year 1734, the 12 Judges held, that, by reason of the negative words in that Act, that no member should be arrested, &^c^ the privilege became part of a Public Act; so far as the freedom of the person is concerned, I mean; and therefore the Judges were to take notice of it, without having it certified by a writ of Privilege.

As to the Privilege of staying Suits against members, &^c^. the Common Law of England never allowed it; there is no formed writ in the Register to that purpose.

In the 12th of Ed: 4th a writ of Privilege was obtained by a menial Servant of the Earl of Essex, suggesting such a Privilege; the Prescription to such a privilege was denied; and the 12 Judges held there was no such Custom, and therefore disallowed the writ and ordered him to answer.

The very next year, a like judgement was given (for this purpose, See Dyer's Reports, N° 60, marginal note) without going into a minute deduction. I take it, the notion that Privilege of Parliament protected from suits, as well as arrests, grew in the Reign of Ja: the 1st.

You will see in the Journals of the House of Commons, 22^d^ Feb. 1606, upon a Message from the King desiring the attendance of all the Members, &^c^. it was proposed, that the Speaker should write to the Justices of Assize for Stay of proceedings against any Member who should desire it. 3^d^ Mar: 18 Jac: you will see in the Journals that numberless letters of this sort had been sent.

The Judges took no notice of the Letters, but constantly disobeyed them; of which you will find instances in Latch's Reports, 48. and Noy's Reports 83, and Dyer 60.

As in this the Judges did their duty, it don't appear the House ever resented it; but they fell upon another way; they considered the Party, Attorney, &^c^ who proceeded, as guilty of a contempt; and proceeded by their own summary Authority to punish them. The 13th W^m^ the 3^d^ ca: 3^d^ has made no alteration in this point; for there are no words which say they shall not be sued.

I think I may venture to say, that from the beginning to this day, the Judges in Westminster Hall never allowed this privilege from Suits. They can take no notice of it without a writ of Privilege; and when those writs issued, as they did in the time of Ed: the 4th, they disallowed them, as not warranted by Law. At present, the Great Seal would certainly not issue any such Writ. The only way in which this assumed privilege is supported is, by the House's proceeding against the Partys, Attorneys, &^c^ as for a contempt; but the Courts are never complained of; and in fact they never regard this Privilege, but are always ready to proceed if the Partys desire it, who go on at their peril.

As this Privilege is of English growth, and communicated to Scotland by the Treaty of Union, you ought to consider it as it is considered by the Courts of Justice here. In its nature, 'tis a most unjust advantage, and every honest Argument is strong against it; and therefore I am sure your only doubt is in what way not to allow it; and the result of what I have been saying is, to propose to you by no means to pronounce whether there is or is not privilege in that case (the Parliament pretends to be the sole judge of their own Privileges), but to conceive your Interloquitur in general terms,

that the Cause shall proceed, or that Def^{s} shall answer, or that the matter alleged in manner and form is not sufficient, or that you cannot take Cognisance of any such privilege so alleged; and then all the doctrine I have given you a sketch of will be properly used in Support of a Judgement so general. They can proceed in no way but by complaint to the House against the Partys and Agents for a breach of Privilege. It will then be matter of debate there, whether it is a breach of Privilege or not, and you will have taken the thorn out of your own foot, and put it into theirs.

These are my thoughts. I write them just as they occur; and so unconnectedly, that I am afraid I shan't be intelligible. I have been broke in upon, too, so often while I have been writing, it is too late to send it to Geo: Ross; so I will venture it by the Post, under a common direction.

I am, My Dear Lord,
Your most Aff: & ob. humble Servt,
W. MURRAY.

The Czarina is dead, and has left her Lover, the D. of Courland, guardian of the Empire during the minority of an Infant 2 months old. It is very probable they are already altogether by the ears. I hear, Lord Hyndford is going Minister to Prussia; but don't mention it till you have it from another hand, because 'tis not talked of yet.

Note.—This Letter has no date; but must have been written in November or December 1740, soon after the Czarina Anne died.

No. CCVIII.

Memoriall anent the Records of Scotland 1740.

THE antient Records keept in his Majestie's Register House att Edinburgh, below the Parliament House, are in very bad Condition, for want of Boards to cover them; many of the first and last Leafs of each Book being so much obliterat as they cannot be easily read, and in a litle time will be intirely defaced.

For preventing whereof, it may be thought expedient, That application be made to the Government for procuring a fund, in order to rebind all the Records of Charters, Records of Parliament, Records of Privy Seal, Records of Privy Council, &c. and for the more sure preservation of the antient Charters, Sasins, and Records of Parliament.

That these be bound in Russia Leather, which no Vermin will touch.

The Charters of King Robert Bruce, K. Da. 2^{d} K. Ro^{t} 2. K. Ro^{t} 3^{d} and of Robert Duke of Albany, Governour, are as yet in Rolls, much obliterat, not booked, notwithstanding of an Act of Parliament in Anno 1469 K. Ja. 3^{e} Parl. 5. Cap. 39. ordering them to be put in Books, and to have Sik Strenth as the Rolls had before.

The Warrants of the Union Parliament are not as yet booked, which ought to have been done by the then Lord Register, or his Deputs, keepers of the Records.

John Corss, the present keeper of Records, has not only made ane exact Index of all the Rolls down to K. Ja. 1st; but has compleated the Index alphabetically down to the year 1670, in three large folios of Lombard paper.

The keepers of the Records under the Lord Register before the Union had very considerable Emoluments by their Office, extending to about 200l. Ster. per annum, aryseing from frequent Sitting of Parliaments and Privy Council; but since the Union, tho' the keepers furnish paper and parchment, and writ all the Rolls of Parliament, the Oaths for qualifying the Members at the Election of Peers, and the returns of those

 Elected,

Elected, yet the emoluments aryseing to the keepers do not now extend to 20l. Ster. per annum, notwithstanding of the great trust and their constant attendance.

The said John Corss has lately looked into one of the Old Hogsheads in which the Records and Warrants were brought from London after Cromwel's usurpation, in Anno 1661, and ther found a great number of very antient and valuable Writs; some whereof concern the institution of the Colledge of Justice, many Pope's bulls, and other Writs of great curiosity, which will be of singular use in after times for illustrating the history of this kingdom; and particularly two Books relating to the Commission of Teinds; One whereof is a Sederunt Book of the High Commission, from Anno 1633 to Anno 1650. The other, of the Sub-commission, from Anno 1638 to the year 1650.

Ther are as yet ten Hogsheads not looked into, wherein many other antient Writs may be found; which, when found, may be put in order conform to the daits, and recorded.

It is informed, that a search has bein encouraged in England in the time of her late Majesty Queen Anne, and a fund provyded and given to Master Holins, Keeper of the Records in the Tower of London, for collecting, putting in order, and booking, the antient writings ther found, which had not formerly been looked into. This precedent may be a mean to procure the like search to begin in this kingdom, and a competency provyded for the person to whose care it may be recommended.

The Keepers here think themselves in duty bound to present this Memoriall, especially at this juncture, when ther appears some inclination to notice what concerns Publick Offices in this Kingdom, that something may be done for repairing the decayed condition of the antient Records, in the first place; and some encouragement provyded to the Keepers for their care and constant attendance, and for the necessary work to be performed, if the Government think to order the same to be done.

The Index of the Rolls, &c. above mentioned, having been of such great advantage to the Leidges, that any Charter can now be found in less time than ane hour, which before might have taken moneths to find, and the said Index being the property of John Corss, the compiler thereof, and not belonging to the Office; it is justly to be feared, that if this Index goes out of the Office, the Leidges will be in the same uncertainty and confusion, and als much time will be consumed in searching out ther old Writs as befor the Index was made. It is therfore humbly proposed, that the said Index be purchased by the Government, and appropriated to the Office; and that a certain allowance be given to the said John Corss, to carry it down to this present time; which he thinks he can perform by closs application in something more than a year. The former compila^n^ having been finished, by great labour and industry, in the space of fyve years.

No. CCIX.

Memoriall anent the antient Rolls and Registers in the lower Parliament House, & Proposalls, &c. 1740.

Memoriall from William Smith, Clerk to his Majestie's Chancellary, anent the antient Rolls and Registers of Charters, Patents of Honour, &c. in the lower Parliament House, in the keeping of my Lord Register.

THESE Rolls and Registers, the Memorialist averrs, were always kept in His Majesty's Chancellary, till ordered up to London by Oliver Cromvell; at which period they were in exceeding good Order.

These

These Rolls and Registers, the Memorialist further averrs, after they, with the several other kinds of Records, such as Hornings, Inhibitions, Sasines, &c. were, at the Restoration, remanded to Scotland; were for some time kept in the Castle of Edinburgh, and afterwards ordered down to the said lower Parliament House; from which period their ruin commences: but more of this afterwards.

The late Earl of Marchmont, when Lord Register, having charged with Horning the Director and Clerks of Chancellary, to deliver in to the said House all the other Records of Charters from the year 1646 to January 1727; the Director and Clerks suspended the charge upon the allegation, that, in virtue of severall Acts of Parliament, they were the sole Custodiers of the said Records; which, in course, falling to be debate before my Lord Streichen, and afterwards before the whole Lords, they by their Decreet, dated the 28th of November 1732, after many tedious pleadings, and in consideration of many circumstances tending to explain the Generall Act of Parliament ordaining all Registers to be kept in the said House, and what these Records were that shou'd be kept there, "Suspended the Letters and Charges raised, used, and execute "against them, and haill grounds and warrants whereupon the same proceeded "simpliciter."

After which the Director and Clerks were thinking to have sued the said Lord Register for redelivery of all the Rolls and Registers of Charters then and still in his keeping, as being virtually, and in consequence of the above Decreet, the sole legall custodiers of the same, viz[t] from the reign of King Anno to the [year] 1646 (and, from what is above said, could not possibly have been a tedious process); but after consideration of the miserable circumstances these Registers and Rolls were in, and daily growing worse, occasioned by the dampness of that low House, and thereby incredibly productive of Moths, these eating the Parchment upon which they are writ, and the other washing out the Ink; and the great trouble and expence it must put any Person to, who would, for the love of antiquity and his countrey, take upon him to redeem them; upon these considerations, I say, wee gave over further thoughts of the matter.

But, however troublesome, yea impracticable to some, the redemption of these Rolls and Registers from their present misery, and restoration of them to their primary circumstances, may appear; The Memorialist, despising the trouble, is of opinion, that the work may be put in practice, and to very good purpose, if the following proposalls are agreed to.

PROPOSALLS by the Memorialist for recovering the antient, the invaluable, the almost ruin'd Registers, and Rolls of Charters, in the keeping of My Lord Register.

Prop. 1st. That, upon a Petition to the Lords of Session, they summarily ordain the said Registers and Rolls to be redelivered to the Director and Clerk of Chancellary, as the only legal Custodiers of the same; for, was there no more in the matter, it looks mighty odd, That of Registers all of a kind, the one half of them shou'd be kept in one place, and the other half in another.

Prop. 2d. That so soon as these Records are recovered and put in a right place, secure from dampness and Moth (which place the Memorialist has of a long time had in view), the Memorialist, as Clerk of Chancellary, have an annuall allowance, 1st For the said Office; 2dly, For Parchment to transcribe the said Registers and Rolls upon; 3dly, For binding of the new, and rebinding of the old Records; and 4thly, For Coal and Candle, and other little Incidents.

Prop.

Prop. 3d. That there be an Ahnuall allowance of £200. or £50. quarterly, given to the Memorialist for writing and transcribing the said whole Rolls and Registers, till ended; and which work, together with two Minute Books of the whole, one in Common form and for Common use, and the other Alphabeticall and for a friend, The Memorialist is of Opinion may be finisht, and the whole reduced to better order than any Records yet seen in this Kingdome, in ten or twelve years time at the furthest.

Prop. 4th. That, as the Work is of a nationall concern, The Lords of Session and Barons of His Majestie's Court of Exchequer, from time to time, delegate certain of their number to revise the Work and Report.

Prop. 5th. That, after the work is finished, the Office Rent, Coall, and Candle, and the said £60. be continued to the Memorialist for his Encouragement.

ACCt of the Annuall expence for transcribing the antient Registers and Rolls.

	£
To Office Rent	14 — —
To Parchment	25 — —
To binding the severall Registers above mentioned	8 — —
To Coall and Candle	6 — —
To 4 Servants Transcribers of the said Records at £35, each yearly— Inde	140 — —
To the Clerk of Chancellary for overseeing & carrying on the work	60 — —
	£ 253 — —

No. CCX.

Mr Murray to the Lord President.

My Dear Lord,

I AM told, a Gentleman who will deliver this sets out to-day. I am unwilling to lose so good an opportunity of writing, tho' I have not time at present to do more than to thank you for the favour of your last, the contents of which give me pain. I am sorry you have had occasion for the uneasiness you express; but I am still sorrier that the occasion has the power of making you uneasy. If I durst, I would remonstrate to you upon this subject. If your task was easier, your merit would be less; if you had not the folly and passions of many to bear, the Public would be less obliged to you for the good you do; but still I must own, tho' Philosophy can unanswerably prove, that your satisfaction should depend, not upon the Conduct of others, but your own, it is very natural to be mortified at such accidents.

Judge of the anxiety of many of your friends, such as Mr P. L. Ch. D. of A, &ca. when I am desired, in a manner I don't know how to refuse, to acquaint you, that it is the earnest desire of all of them, you would suffer a change to be made in the Representation of your Boroughs. By what I collect, it is not the difference of a member which could make them in any degree so earnest; but they dread, that your not doing this will be imputed to a contrary opinion, or different friendship. They want much more, as I understand, not to have the credit of your name, even by implication, in the opposite scale, than ten times the assistance you could or would give.

I could

I could not refuse telling you this, without saying any thing from myself; I don't know how the thing stands; and if I did, I am not a proper judge.

As to foreign news, there is an Account come of a great Victory got by the Prussians in Silesia, which they are following with expedition. The French fleet is coming back, ignominiously they say; if they are not, I dare say we shall hear of their being attacked.

I am, My Dear Lord,
With great Truth, Esteem, and Aff^{n},
Most intirely, Y^{rs}, &^{c}.
W. MURRAY.

Lincoln's Inn,
13th April 1741.

No. CCXI.

Mr. Fane to the Lord President.

My Lord, Sackville Street, 30th Octo^{br} 1741.

YOUR favour of the 27th August is now before me unanswered, occasioned by the Messenger's not delivering it very quick, nor calling soon for an answer. As to the question you ask me ab^{t} my Uncle, I don't see him abate in his inclination to serve a Man who I think treats him ill. I must own, it is with regret I go to the Treasury; and was I so happy as to be released from my attendance, 'twould give me the greatest pleasure; for how can a Man, who for 17 years has given up his whole time to serve another, see his services slighted, and a Person of jacobite principles put at the head of an Office, without knowledge, fortune, or family; enjoying not only the honour of a post, but six times the profit I enjoy, whilst I continue to be an under Clerk to one whom I don't think my equal in either of the three things I have mentioned. Besides, as to my Uncle, has he not long been their drudge, to one or other of their family; and at last to be joined with a raw Boy, famous for nothing but having the acquaintance of one of Walpole's Sons, who has pushed him so far above himself, and all his father's real friends. As I have lately so fatally experienced the uncertainties of this life, I can't but look upon myself in duty bound to do only such things as are agreable to the dictates of my conscience (without favour to any one man's way of acting to aggrandize a fortune to himself or family), so as to pass away this life with peace of mind, and to be able to look upon the change which may happen to me without terror or apprehension. And how a Man can act with honour under one who, at the same time the N——n is undone by his measures, he & his Sons are living, & have lived, in open adultery and fornication, scoffing at every thing honest and just, and bidding defiance to all virtue and Religion, I must leave to you and wiser heads than mine to determine. Upon the whole, perhaps, you may think me mad; but the subject is so disagreable that I lose my temper when I think of it. I thank God, I am contented with my fortune, wch I owe to my Uncle, and wish to pass the remainder of my days with you, or some such friends, to laugh at those who, thinking to leave the character of a great Man to futurity, will stick at nothing to make that character infamous. Pardon the freedom I have wrote this, and believe that I am, with the most perfect Esteem and Respect,

My Lord,
Your Lordship's most faithful & Obedient humble Servant,
HEN. FANE.

No. CCXII.

No. CCXII.

From Lord Hardwicke to the Lord President.

My Lord, London, November 14th, 1741.

AFTER a long intermission of our Correspondence, it is with pleasure that I lay hold of this opportunity to renew it. Upon the death of My Lord Chief Baron Lant, His Majesty has had the goodness, upon my recommendation, to appoint my Friend Mr Idle to be his Successor; and as he is this day set out for the North, in order to go to Edinburgh to take possession of his Office this Term, I could not let him depart without intreating your Lordship's favour and Protection on his behalf. His Personal qualities would, I am confident, be sufficient to procure him all proper Regard from a Person of your humane and generous Temper; but the share, which I flatter myself that I have in your Lordship's Friendship induces me to inform you, that he is one of the oldest acquaintance I have in the World; and from that long knowledge of him, I can assure your Lordship, you will find him a perfectly honest, worthy Gentleman.

He was called to the Bar at the same time with myself, and has ever since diligently attended Westminster Hall; and for some years past, has had a good share of business in Chancery, in which he has acquitted himself with Ability and Reputation.

Every person who is sent from hence must at first be in some degree a stranger to your forms and methods of proceeding; but I make no doubt that, if your Lordship will afford him the honour and advantage of some advice and instruction, in those matters, from so able and perfect a master as yourself, he will give much satisfaction in the station to which he is advanced. This I am sure of, that you cannot bestow it on any one who will be ready to return it with more gratitude and faithful Service. I have given it him in charge, to give his Office all the attendance that can reasonably be expected, which I am sensible his own inclination would lead him to; and indeed his Situation will make that more easy to him than to most others; for as his estate is not far from York, he can wait on you at Edinburgh with as much ease as he can come to London.

I have now said all, and indeed more than I intended, relating to my Friend. Permit me to inquire after your Lordship's welfare, and to pour out my best wishes that you may enjoy as much Health as you do credit and honour in the important Station you fill. Will that never permit you to revisit this part of the World, and once more glad your friends here with your company? You would find, indeed, many alterations both in persons and things; but none in that unfeigned Esteem and Respect with which I am always,

My Lord,
Your Lordship's most Obedient & most faithful humble Servt,
HARDWICKE.

No. CCXIII.

Mr Murray to the Lord President.

My Dear Lord,

UPON my return to Town the beginning of Octr I found yrs of the 27th of August. The marks it brought me of the continuance of your confidence and friendship gave me infinite pleasure. I am sorry you meet with difficultys in the noble work you have

undertaken; I wish you felt them less. If the obstacles were fewer, your merit wou'd not be so great. I know that you accepted of the Office, which you fill with so universal applause, against your interest and against your inclination; but merely with a view of serving the publick. Your success has been beyond expectation; business is now put into a regular and equal method of dispatch; personal sollicitations are out of fashion; the people have a confidence in the determinations of private property; & they are respected here. This is a great reformation, brought about in a few years; not by the assistance of new Men; but by that Authority which integrity, assiduity, and knowledge, gives one Man over the very same persons who sat there before. The People enjoy the benefit of the change, and bless you as the Author of it. I am not surprized, that in political questions the influence of party or power is sometimes too strong for you; but don't let this, my Dear Lord, sower your mind; you have more reason to rejoice that you have been able to do more than any other man cou'd have done, than to complain because you can't do all you wish. When you undertook this arduous task, you neither consulted your interest nor your ease. Shou'd you now resign, I am afraid it wou'd look like prefering your ease to your Country & your fame. Cou'd you name the successor? if you cou'd, where is the Man who cou'd have the same weight, even tho' he had the same virtue and judgment? Can you say you despair of doing any good; the general voice wou'd, from experience, contradict you. If you can't do all you wish, might they not answer, "Hac satis est prodire tenus, si non detur ultra?" Might they not say, Tho' you can't stem the undue influence of power, party, or prejudice, in every instance, you are able to overbear it in many, & keep it out in most? Whereas if you was gone, it might probably rule in all as much as it did before. You did me the honour to ask my opinion; I gave it you freely and sincerely; I am almost tempted to give it warmly. I wou'd as soon advise a General to desert his post in the day of battle, because the service was too hot, as you to abandon yours at present. It is not wonderfull, that nature shou'd return to men; it is wonderfull that you shou'd drive it from them so often. The event has shewn the resolution last session, which you mention, to have been very impolitick & extreamly mischievous. It gave the Qu. of H. a false show of protection, & made her obstinate; it irritated the K. of Pr. & flung him into the arms of France. I have been assured, that till the K. of Pr. applied, the Cardinal never intended to stir. His language was, "God forbid that the King shou'd rob the Orphan; God forbid that we shou'd break the Pragmatick Sanction, which we have guarantied so lately;" but as soon as the K. of Pr. came in, they determined Him by shewing him he cou'd do every thing without striking a stroke, or hazarding a War. Besides the general state of Europe, now absolutely in the power of France, our own particular War has at a great expence been most unsuccessfully carried on. The trade has suffered by captures to a degree that produces daily Bankruptcys; & the Merchants, enraged with the smart of their sufferings, impute most of the losses to neglect, in not stationing properly a few small Ships, which was often desired to be done. Tho' the number of opposers in the H. of C^{ms} is said to be great, I don't expect they will do much, because they are greatly divided, & have too many heads. In questions upon controverted elections, they may perhaps make now & then a stand. Sr R. W^{s} health is said to be very much broke; this is the point many have in view; if it happened, I believe, no Man can foresee all the consequences of it. Idle is made Ch. Baron of S——d by the Ch^{r}, from the merit of an old acquaintance & domestic connexion. I have a mind you shou'd take possession of him by all sorts of civilitys; I told him, I wou'd introduce Him to your acquaintance; but at the same time desired him to get a Letter to you from My Ld Chan^{r}, which he has. He is a good-natured Man, but not a Man of Business, or much parts, which

which will give you more opportunity of advising & protecting Him. You may hereafter make use of him in conveying proper impressions to my L[d] Chan[r], without his perceiving it. I wou'd fain see it one day in your power to fill some vacancies in the Court with Men whose only merit is uprightness, & knowledge in the Profession. Idle went away in a hurry. I am to send after Him tomorrow an ostensible Letter to you, to introduce Him. You may say I have wrote more particularly by another Letter. I wish you wou'd introduce Him to any people of distinction that happen to be at Ed[r]; as L[d] Tweedale, &c[a]. The Chan[r] will feel the countenance you give him. I shall write to the Justice Clerk & Arniston, to introduce him; but I only write to them two lines in general form, without any thing particular. I hear, Edlin, whom I don't know, has been foolish enough to use him ill already, because he himself has been disappointed. Geo. Ross tells me, He don't send this Letter by the Post, which makes me write so freely.

I am, my Dear Lord, ever & most aff[ly] y[rs] &c[a].

Lincoln's Inn,
18 Nov[r] 1741.

W. MURRAY.

No. CCXIV.

M[r] Murray to the Lord President.

My Dear Lord,

I WROTE you a long letter two days ago: I give you the trouble of this, at the desire of my Lord Chief Baron Idle, who desires your acquaintance & friendship. I am persuaded you will shew him every Civility in your power upon his first coming among you; and when you know him as well as I do, you will love and esteem him for his own sake, and thank me for contributing to make you acquainted.

I am, My Dear Lord,

Lincoln's Inn,
18th Nov. 1741.

Y[r] most ob. hu. Serv[t]

W. MURRAY.

The L[d] President of the Session.

No. CCXV.

[No date; but a little before the Dissolution of Parl[t], 1741.]

The same to the same.

My Dear Lord,

I TAKE this opportunity to write two or three words to you, in answer to yours which I received some time ago. You do me justice in believing, if I knew any thing which imported you [to] know, much more any thing which was of consequence to yourself, I should certainly acquaint you with it. The account of the Judgement you allude to, came up here seemingly so authentic, and yet was in itself so improbable, that no body knew what to say. It did occasion a run for a little while; but when the truth came up, it put every body out of countenance who had given credit to the account; tho', in the manner in which it was sent, it seemed to be unquestionable. I remember, I desired them to wait the Echo. Your Friend Scrope asked me about it. I told him, he should know when the next accounts came, and he triumphed when they did come; but neither then nor since have I heard the least disrespectful thing said of you. Knowing the regard I have for you, it is not likely that I should be the first

to hear any insinuation to your prejudice; but I have taken pains to inform myself, and I cannot find that any thing has happened since you left us, which has lessened the esteem every body has for you. Your Opinion is not so much followed, either when you was here, or since, as it ought; but that may be owing to various causes.

L. Chr mentioned in my hearing, with great acknowledgement, the long letter he had from you; and took shame to himself then, which is a good while ago, for not having thanked you.

You know the Pt is to be dissolved immediately: it has long been resolved, for many good reasons. The Session will end with an Act of Pardon. I hope the Jurisdiction Bill, as it now stands, may be attended with great good. It must, if the Judges are well chose.

I am ever,

most truly and Affly, Yours, &c. &c.

W. MURRAY.

No. CCXVI.

Lord Morton to the Lord President.

My Lord, London, Jan. 5th, 1741-2.

AFTER having heard that your Lop was very much indispos'd, I had the pleasure to be inform'd last week yt you were now perfectly recovered; upon wch I do most heartily congratulate your Lop, but still more the honest Men of our Countrey, whose number I hope will increase (as indeed it had need) if your Lop is spared some time longer among us. Your Lop will no doubt have heard from much better hands the difficulties your Old friend Sr R. has to struggle wt; and considering what up-hill work 'tis like to be, I'm astonish'd to see the spirit, the intrepidity, and chearfulness wt wch he bears it out. If he should be forced to give it up (wch, I take it, is possible, as friends look) I hope and believe he'll go out quietly. And indeed I shou'd think, at his time of life, a calm retirement from business were the most desireable thing upon earth; especially to one who has so great a relish for Countrey business and Amusements; but there is no judging of anoyr Man's inclinations by our own; for I find he intends to fight every inch in St St——n's Ch——l: had we but fought as strenuously against the Sp——ds abroad, I believe the battle wou'd have been less dubious at home; by this resolution, however, he will acquire one piece of knowledge, wch till now he never cou'd attain to; he will certainly be able to distinguish who are his real friends, from those who only were so by profession. At ye same time 'tis very possible that this, like several oyr points of knowledge, may come when 'tis no longer usefull. Notwithstanding this fluctuating state of things, I have good hopes, as I am not any way an Obnoxious Man, that the Affair wch I formerly had the honour to mention to your Lop may be carry'd thro' this Session; and as your Lop seem'd to think it a reasonable and equitable thing in itsself, I must beg your assistance wt the D. of Argyle, whose countenance is so absolutely necessary to me upon this occasion, yt without it I need not so much as make the least attempt; and if your Lop will so far favour me as to write to His Grace in my behalf, I beg you may do it as soon as you can conveniently after this comes to your hand; for I have now no time to lose. I don't know whether I shou'd make any apology to your Lop for giving you this trouble, because I take

it

it to be a part of your duty to relieve mankind from bondage, and this wou'd make me a much freer Man y^n^ I am. In one respect, I own it wou'd lay me under an indissoluble bond, ever to acknowledge and approve myself,

My Dear Lord,

Your much Oblig'd and faithfull Humble Servant,

MORTON.

I have not yet spoke to any Member of either House, excèpt my good friend S^r^ R^t^: the second person I intend to apply [to] is the D.

No. CCXVII.

Mr Murray to the Lord President.

My Dear Lord,

I HAD the honour of yours two days ago. I did not expect formal Compliments where I was sure of real affection, and where I lay under real obligations. If you recollect what I said to you, and you only, 7 years ago, in relation to my sentiments and system of Conduct, you will see how uniformly and steadily Fortune has enabled me to pursue it. I was indifferent whether I ever acted a Public part or not; but if ever I did, I was determined it should be in the way I liked. I was resolved to come in at the top, and to owe it to the Figure I made in my profession, without the least Party merit whatsoever. Many other circumstances will occur to your memory, to shew you that the Conjuncture which has happened is the very one I pointed out to you 7 years ago, as that which I would choose to lay hold of, if it should ever exist *.

The moment I rece^d^ your Commands I set about executing them. I saw my Ld Bath; I read him that part of your letter which related to the general point; and he was then of opinion, that the Bill should be bro^t^ in, with an exception as to Aqua Vitæ in Scotland.

I said, and intend to say, nothing of your particular concern †: it might render your Opinion upon the general point suspected. A general exception of private rights, so worded as to include your case, seems to me impossible; no body could tell what was meant by it. A particular exception adapted to your case would, I think, be very difficult; and, if at all obtained, must be clogged with many Restrictions. As there has been a determination since the Union, that the Old Act gives you an exemption from new duties laid on by general Words, had not you better trust to the future construction of the Act, than run the risk of trying a particular exception, which may be refused or clogged? I hope, for your sake, that the general exception will be agreed to. I need not tell you how ready I shall ever be to obey your commands, nor with how much attachment

I am, My Dear Lord,

Your most Aff. hu. Servt,

W. MURRAY.

Lincoln's Inn,
1st Feb. 1742.

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* Mr. Murray was made Solicitor General in November 1741.

† This alludes to the privilege of brewing, belonging to the President's estate of Ferintosh.

No. CCXVIII.

No. CCXVIII.

M[r] Scrope to the Lord President; dated 10th Febry 1742.

My dear Lord,

I HAVE had the honour of two of your L[r]s by me for some time, w[ch] has not a little grieved me; but in my old age I am so entangled with business, that I can't find leisure to be commonly civil to my friends who I love and honour. Your first, relating to the Tea, I communicated to my Lord Wilmington, and had a great deal of conversation ab[t] it with the M. of Tweedale & my L[d] Advocate; but could [not] find any body inclineable to attempt to do any thing in it this Session of Parl[t]. As to what related to the Spirituous Liquors in that Bill, care is taken of the Lands of Farintosh I think, there being the same Clause in it w[ch] you first brought into the former Bill. You have sent us up such wrong-headed fellows, that we were in much danger of being disappointed; & therefore I had the pleasure to represent the great merits of your family, and the private right granted to them soon after the Revolution, which has since been judicially confirmed to them. M[r] Waller, between jest and earnest, attempted to make some opposition; but no one regarded him. If you don't hear so often from me as you expect, it don't proceed from want of affection and esteem, but from being quite worn out.

I am, My dear Lord,

Your most faithful and Obedient humble Servant,

J. SCROPE.

No. CCXIX.

Lord Morton to the Lord President.

My Lord, London, Feb. 11th, 1742.

AS your Lo[p] was so very kind to write to the D. of Argyll in behalf of my Bill, I flatter myself it will not be disagreable to your Lo[p] to hear y[t] I meet with greater success in it than I cou'd even have hoped for. But last post brought me a very disagreable paragraph in a Letter from my Wife, w[ch] is as follows: "This morning a "friend of yours told me, that as he had a regard for you, he cou'd not conceal a "thing w[ch] had accidentaly come to his knowledge, and w[ch] he was very certain of "the truth of, as it came from undoubted authority; but desired not to be named in "it; this was, y[t] L. Arniston had yesterday express'd himself very strongly against "your Bill, and told the person who was your friend's informer, y[t] he wou'd use his "utmost endeavours to put a stop to it, and is actually to write this Night to his patriot "friends." This is what my Wife says; however, I have been beforehand w[t] L. Arniston, and have clinch'd all his patriot friends; for, since S[r] Rob[t] Walpole's dismission, I have been at M[r] Pultney & all y[e] rest, who confirm'd their promises to me w[t] great kindness; so that let his Lo[p] do his worst, I shall get it pass'd; at the same time I wou'd be sorry a Man of his character shou'd appear against me; and I'm at a loss to conceive what motive can induce him to oppose me, unless it be y[t] his Bro[y]r in law, M[r] Gordon (who was one of my Ork. Knt's Lawyers) has given him a bad impression of me; if this be the case, I must beg of your Lo[p]'s friendship to remove it in so far as you find I've met w[t] foul play. Some days ago S[r] Will[m] Gordon, who is my Lord's Father in Law, sent to desire I might come & speak w[t] him; w[ch] I did; when he told me he had a claim of £10,500. Ster. upon my estate, on acc[t] of a Grant of the £500.

few duty, obtained by him from the late King for 21 Years in ye year 1718; this affair I have now searched to ye bottom; and, to the conviction of his own friends, there appears not the least foundation. But if there were, the Saving Clause leaves him access to any just demand. The story is, y^t^ my Father obtained a Grant, in name of John Ewing, for 21 Years, or during the Life of the King, of this few Duty, the Grant is dated the 9th of April 1717, and, of course, cou'd not pass our Exchequer till June following; during this intervall, the Ministry was changed, and L. Sunderland came into power; whereupon, as my Uncle's grant had not passed, Sr Wm Gordon apply'd for a stop to it, in order to get a grant made out for himself; this stop was issued the 5th of June 1717; but upon my Father's geting access to the King, and representing the hardship it wou'd be upon our familly, His Maj^ty^ was pleased, by a Warrant of ye 21st June, to order the stop to be taken off; in consequence of wch John Ewing's grant pass'd the Exchequer. All the Treasury Books of Scots grants have been look'd over from ye late King's Accession to his death, & there is not a word of Sr Will. Gordon from one end to ye oỹ^r^, however it is possible he may have asserted this as roundly to L. Arniston as he did to me. I have sent under your Loṗ's cover, a Letter from me to L. Arniston, wch I have left open; if, upon reading it, and trying him, your Loṗ thinks proper he shou'd have it, please seal it before delivery; or else don't deliver it at all, just as your Loṗ judges most fitting; for I must leave it intirely to your friendship and great knowledge of mankind. Your good advice once prevented me from sending a Letter wch was certainly much better let alone. Tho' I have troubled your Loṗ too long w^t^ my own affairs, I can't finish w^t^out a word about our honest friend Sr Robt Walpole; for whom, I own to your Loṗ, I am in some fear. He this day went out to Richmond, never again to return to Court; the Letter of rank for his Daughter has rais'd such a torrent of wrath against him, y^t^ God knows where it may end. They now talk of a strict parliamentary inquiry; your Loṗ knows how little any Man can stand such an ordeal tryal after 20 Years Administration; the last time I saw him, wch was on Sunday Evening, I told him of the clamour y^t^ was rais'd upon the subject of his Daughter; but the thing was then pass'd the Offices, and cou'd not be recal'd (tho' she had not been presented), else I believe he wou'd have stop'd it; I wou'd fain hope, after he is fairly away, that the fury may subside; at present it is very violent; happy had it been for him, had he but your Loṗ now here; last Week there pass'd a scene between him & me, by ourselves, y^t^ affected me more y^n^ any thing I ever met w^t^ in my life; but it is too long to trouble your Loṗ w^t^ it; he has been sore hurt by flatterers, but has a great and an undaunted spirit, and a tranquility something more y^n^ human. I beg pardon once more for this tedious Letter; and that health & happiness may long attend your Loṗ, is the most sincere wish of,

My Dr Lord,

Your ever oblig'd, and faithfull humble Servt,

MORTON.

No. CCXX.

The Marquis of Tweeddale to the Lord President.

My Lord, Dated Whitehall, 23^d^ Febry 1741-2.

HIS Majesty having been pleased to make an alteration in his Councills, and to call me to an office of great trust and dignity *, it appears necessary some general plan or scheme for the Government of Scotland should be immediately concerted.

* Secretary of State.

In

In this view, it soon occurred that your great experience and abilities, joined with that disinterested love you have ever shewn to your Country, render you a fit person to be advised with on this occasion; and therefore I hope, for the sake of His Majesty's service, you will not decline coming to London immediately, now that the proper business of your Station will dispence with your attendance at Edinburgh; since it is by your advice and assistance, jointly with your Brother Lord Arnistoun's, to whom I have also wrote a Letter in the same strain, that I expect to be able to lay before his Majesty such matters as may tend to create a confidence in and give more universall content to the people.

As these are my only views, I call for your Lordship's aid; being, at the same time, well assured that your Opinion must be of great weight with those who have now the honor to be employed by his Majesty; as the whole tenor of your life has shown an inviolable atachment to His Majesty's Person and Government, and a warm zeal for the publick weal.

I have a great many Compliments to make you from your friends here; particularly My Lord Carteret and Mr Poultney, who both join with me in the same request; and I flatter myself, you will add this further instance of your friendship to the many I have formerly received of you.

I am, with the greatest esteem,
My Lord,
Your Lop̃'s most Obedient humble Servant,
TWEEDDALE.

No. CCXXI.

The Lord President to The Marq^{s} of Tweeddale. No date; but supposed to be written about the middle of March 1742.

My Lord,

LAST Sunday I received the Letter your Lop̃ did me the honour to write to me of the 23^{d} of February, signifying your Lop̃'s desire, & that of some others of your friends, that my Brother Arnistoun & I shou'd wait upon you at London, to assist by our advice in settling what may be thought proper to be proposed with respect to this part of the Island. The honour your Lop̃ does me is very great; but not greater than the desire that has possest me, since first I had the good fortune of knowing & being known to your Lop̃, of haveing and deserveing your good opinion; and therefore you will readiely believe it was a sensible satisfaction to me to find in what your Lop̃ proposes so strong a proof of your good will & confidence.

The opinion I have of my own abilitys is so far short of what your Lop̃ seems to entertain concerning them, that were it not for the respect I have for your Judgment, I should, without more words, decline a journey which, so far as I perceive, cannot possibly be of any use to your Lop̃ or the Publick. But such is the authority that your Lop̃ & the two eminent friends you are pleased to name have over me, that if you still persist in your wish of seeing me, when the situation of my health may permitt me to travell, the other inconveniencys that attend so long a journey will not weigh in the scale.

Your Lop̃ has probably been informed, that a short fever, occasioned by Cold, confined me to the House for many weeks this last winter; and tho' I got so far the better of it, as to be able to attend the Court for the three last weeks of the Session, yet as I have not hitherto exposed myself much to the cold, or taken sufficient exercise, I dare not venture soon upon a long Journey, especially while the Weather is so severe as it now

now is; but, as it is to be hoped that the Season will soon mend, and that two or 3 weeks' exercise about the Doors, as we say, may sett me up, if your Lop shall continue of Opinion, that my presence where you are may be of any use, and will give me notice, I shall do what lyes in my power to attend you.

What I say of my own disposition to conform to your Lop's desire, I can vouch, & you will readily believe, concerning my Brother Arnistoun. And I am sorry to be able further to vouch, that the State of his health makes a journey less practicable for him than it is for me; but as his complaint is much owing to the rigour of the Weather, it is to be hoped a small time will wear it off; and that in the like space as I have mentioned with respect to myself, he will be able to undertake the journey, if it shall be judged necessary. This day we mett together. I believe he will give your Lop much such ane account of his case and of his resolution as I do.

I abstain from makeing complements upon your Lop's promotion, because I cannot say what I think, without saying too much for you to hear, and perhaps too much for one who, of all other Characters, detastes that of a flatterer the most, to express. What I am going to conclude with is, I believe, not fashionable, but then it is true, that I am sincerely, but not now one bitt more than I have been for many years,

Your Lop's most faithful
& most Obedient humble Servant,
DUN. FORBES.

No. CCXXII.

The Marquis of Tweeddale to the Lord President; dated Whitehall, 16th March 1741-2.

My Lord,

IT gives me real concern, that Lord Arniston and you have, from the bad state of your health, desired to be excused from coming to London. I am, however, glad you are so well recovered, as to have been able to attend the Session; which makes me flatter myself a London journey may be of great advantage to confirm and establish your health. The friends I mentioned to you, who joined with me in asking you to come, are as desirous of seeing you as I am; and we all agree, that your presence here might be of the greatest use to your Country, and much for the advantage of His Majesty's service.

As I hope Lord Arniston is by this time in a better state of health, I have also wrote to him; and I know your persuation will have great influence with him.

I am, with the greatest truth & esteem,
Your Lop's most faithfull humble Servant,
TWEEDDALE.

No. CCXXIII.

Mr P. Murdoch to Mr. Andrew Mitchel; dated Paris, 27th March, N. S., 1742.

Dear M.,

ACCORDING to the Orders you were pleased to give me, I have bought a Summer Wastcoat of the newest fashion for 4 Louis; and have pitched on a pattern for the other, which at London will be thought even excellent.

It is to be executed on a Stuff they call Velours de la Reine. Your other Commissions shall not be forgot. I cannot exactly say what they will amount to; but have drawn of this date upon Mr And. Millar for £25; what is over or under, I shall

keep accompt of. Literary News I have none, having much neglected my Philosophical acquaintances, as you may guess by what I am now to impart to you.

You know how unsuccessful I have been in my Amours in England. I have been more happy where I could least have expected it. Upon my arrival here, I was introduced to the acquaintance of a widow Lady, a British subject, and her Daughter, who have lived at Paris a considerable time. By frequently visiting and conversing with them, I became acquainted with all their Schemes, one of which was to return to England. This encouraged me to make my Addresses to the young Lady, with whose person and character I had been long charmed; and I have now obtained her consent, and that of her nearest Relations.

Our fortunes are so well suited, that they cannot much hurt or improve each other for the present; but she has rich Relations, who in all likelihood may make her's very considerable. You may judge, dear M., what tyes this generous usage lays me under to endeavour to make her happy; and tho' she has the goodness to assure me, that there is no fortune so narrow that she could not share with me, yet these tyes are for that very reason so much the more binding. Mr V., who knows and congratulates me upon all that is past, assures me, that nothing shall be wanting on his and his family's part; and to you and Forbes I need say nothing; your friendship has always prevented my wants, and even my wishes. What will make me now the more anxious to better my circumstances is this: her Relations, with their wealth, have all the pride that naturally attends it; and, by that odd vanity of rich people, would be just so much the more liberal of their favours, as they were the less wanted. In the mean time, without founding upon uncertaintys, or flattering ourselves with imaginary views, we propose to go down to Suffolk, and live frugally on what we have. A little reparation and furniture will make the house tolerably convenient. I shall leave Paris in three weeks, and they will follow in Summer, or the beginning of Autumn.

These things, dear M., I wanted a thousand times to consult you about; but durst not venture them in writing, letters having of late been lookt into at the Post Offices (one of your's, you know, was detained). Besides, it is but a few weeks since I declared myself otherways than by something of a more than ordinary assiduity. However, I do assure you, I have done nothing but what you must cordially approve of. I have used all the deliberation and caution imaginable, and set aside every prejudice that my passion might give me. What will surprise you most of all is, that she has not yet compleated her 17th year. But, having been always under the eye of a virtuous and prudent Mother, in the very centre of folly, expence, and vanity, she most heartily despised them; longs only for an independent retired Life; and, innocent as a Child of all artifice and affectation, professes to rate a husband only by the warmth and sincerity of his affection. I desire you may communicate this to my kind friend Millar, & to Forbes if in Town. If not, you will be so good as inclose it to him.

I am, Dear M.,

Paris, 27 Mar. 1742. } Your own

P. M. *

I could wish to have a Scarf. Has the D. of Montrose no vacancy? I did not know how to direct for you *en forme*.

* Mr. Murdoch wrote the Life of Thomson, and several Mathematical works. Probably, it was most lucky for him that this match did not take place:

Yet how does Love blind the wisest!

No. CCXXIV.

——— to the Lord President.

My Lord, 11th March 1742.

NO doubt, your Lordship will hear by this post of the Duke of Argyll's having laid down all his places. What I am going to say on that subject consists with my own proper knowledge. When he accepted of his Employments, it was by the Advice and at the request of his friends in town, who thought his sitting at the Council Board of the greatest consequence to this Nation; but as no steps have been taken, either to his Satisfaction or to his friends, since his acceptance; on the contrary, things growing every day worse and worse; his Grace Yesterday (you may be sure, not without acquainting his friends) resigned his Employments to his Majesty, with all the respect and civility due to the King, and with all the calmness and sedetness becoming a Great Man; and I do assure you, every honest man approves of what he has done.

The D. of Montague has got the Ordnance again.

No. CCXXV.

The Lord President to the Marquis of Tweeddale.

My Lord, 1st April 1742.

UPON receiving your Lop's Command of the 16th of March, I wrote to my Bror Arnistoun to have his Resolution; and had for answere, that the state of his health (which had been impared by an accidentall Cold) was such, that he cou'd not think of a journey; and he was indeed at that time much out of order; but as this illness was likely to be but of a short duration, I suffered ten days to pass, that he might recover health and better spirits, and then went out to Arnistoun to see him; where I found him pretty well restored from his last Complaint, but still in such a backward way (occasioned, I presume, by the uncommon Coldness of the Season), that he declared his resolution agt travelling Southwards this Spring: and, as ane additional reason for that resolution, he suggested the high improbability that our going to London can be of any service to the publick, when there is not time left in this Session to pass into a Law any propositions that we might offer for the public service of this part of the Island; even if the other more interesting Considerations, in Wch the parliamt is at present engaged, were to give way, & leave roome for offering such propositions.

This Determination of my Bror Arnistoun's has gone far to determine my resolution on the side of my private opinion, but agt what I shou'd have done had he consented to the Journey; it was my private Sentiments, that our presence at London, at a juncture such as the present, could not be of any reall service to the Countrey; but such is my deference to your Lop's judgment, & to that of those eminent Persons with whom you advised, that I had resolved to submit to it, if you persisted in your purpose of seeing us; and I guesed that what induced your Lop and them to pitch upon my Bror & me, as the fittest persons to Advise with in regard to the Interests of this Countrey, was, the notoriety that in our politicall capacity, if I may so speak, whilst we attended Parliamt we were generally adversary to one another; the Notoriety, that in our present stations we have dismissed all views of that kind; and the probability thence ariseing, that such sentiments as we agreed in wou'd be well received, & not lyable to much exception on account of any suspected partiality. But as Arnistoun is unable to undertake the journey, the view from which, as I under-

stand it, the calling for us flowed is at ane end; and my travelling cou'd have no other fruit than the seeing some friends whom I shall be allways desireous to see, and the seeing several things that I shall be allways sorry to see or hear of; and, therefor, I hope the only part which, according to my present views, I can choose, that of staying at home, will meet with your Lop's approbation. If there is any thing relateing to the Situation of this Countrey, with regaird to its Manufactorys, its Police, its Revenue, or other interest, that I. can give your Lop any light of, I shall be extreamly glad to give your Lop all the satisfaction that is in my power, when you are pleased to command me. This, if wanted, may be done in course of the post; and before ane oyr Session of Parliat, it is to be hoped your Lop will find my Bror & me together, and may then at leasure command all the light we can afford.

I am, with perfect respect, My Lord,
your Lop's, &c.

Stony hill, 1st April 1742.

No. CCXXVI.

The Lord President to Mr And. Mitchell.

Dr Sir,

I SHOU'D have returned ane ansr to yours of the 18th March sooner, but that I waited to be determined as to the journey which you expected I shou'd take; but the resolutions of my Bror Arnistoun, which being fixed agt travelling, have left me no party to Choose but that of staying at Home; as I had no great Confidence, that our joynt labours cou'd have done much service to the publick at this time; and far less that my presence, without Him, could have done any.

The Situation in qch you at present are, which is owing to your own Character, as well as the good judgement & good will of my Lord Marquiss, gives me a great deal of Satisfaction. I am pleased on your account, because it will give you ane Opportunity to exert your talents & to do good; and I am pleased on the Marquiss's, because that act qch was amongst the first of his Administration has been attended with universall approbation; and is ane earnest, that he will act with disinterested views, and make use of disinterested persons, to carry on the Publick Service *. As to advice, which you seem to wish from me, it is quite useless, because you have a very faithfull, & much more intimate Minister at home, your heart; which must, by the goodness of the Master you serve, be disposed to render him every honest peice of service he can claim; and I am very hopefull, from the Opinion I have of Him, that the Marquis will expect none other from you. The late accident qch you mention is unlucky; and I lament it, cheiffly as it must necessarly be attended with some sowerness between persons whom I most earnestly wished to see liveing & acting in perfect harmony. But these differences cannot possibly affect you with the person whom you are pleased to call my friend; who must expect to see you discharge the trust you have undertaken with care and fidelity, if he has the same opinion of you that I have. Toutching the expectations you entertained, of my being usefull to quiet riseing animosities, & perhaps to prevaill with some persons to lay them aside, I cannot tell very well how far I might, or might not, have been of use, had I been early with you; but as things are att present, I am affraid the coall is too hot to be toutched; and I have frequently seen, that medleing with it in that Condition makes it blaze the more. The end of the Session

* The Marquis had made Mr. Mitchell his Under Secretary.

will

will give Men time to cooll; and if nothing is done further, to irritate or provoke, of either Side, which I pray & hope may be the case, nothing shall be wanting on my side, to dispose such as will in any degree be influenced by my Opinion to that Union which I wish may prevaill. I have wrote to the Marquis by this Post, signifying my present purpose of remaining in this Countrey. I hope He will approve of my reasons; and if he should be too much hurryed to find time to lett me know so much, that you will.

I am, My Dear A.

Stony hill, 1 April 1742. &c.

No. CCXXVII.

Mr Mitchell to the Lord President.

My Lord, Whitehall, 20 April 1742.

YOUR Lordship's letter of the 1st instant gave me real joy; as you said in it several kind things of me & to me. I do assure you, that nothing pleases me so much as the approbation of those I love and esteem; and to deserve your Lordship's, is my particular ambition. I have ever thought my acquaintance with your Lordship one of the happiest incidents of my life; and I think I have felt myself the better Man for it. When I reflect on the justice that mankind in general do to your Character, I cannot help thinking better of them than I am sometimes inclined to do; I cannot help believing they have still some gratitude left, & some sense of Virtue. Tho' I acknowledge the reasons you give for not coming to London are of weight, still they are not convincing; for I am sure you will never allow that to be a just maxim, that when people cannot do all the good they wish to do, they ought to do nothing. The whole tenour of your life, & your unwearied endeavours in your own province, plainly show that you adopt no such principle. I own, I am greatly affected by the dissapointment; and it is my private Opinion, that you could still be of great service to the Publick if you was here. I am sure the Marquis was very desireous you shou'd; and the Opinion & Confidence he has of you must have rendered your Advice useful & important in that quarter.

I beg leave once more to renew my former request of the Continuance of your friendship; and, as I have a most thorough confidence in you every way, of the favour of your advice upon particular occasions that may arise; and I do assure you, it will be a great comfort to me; for tho' I am vain enough not to suspect my heart, yet I am extremely difident of myself. I know your goodness will excuse my saying so much about myself. You have had an account, no doubt, of Paxton's confinement to Newgate, & the reason of it: it is surprising that the obstinacy & villany of one man shou'd be able to baffle the publick justice, & yet the constitution afford no legal remedy.

This Letter goes by a Courier, under Cover to Mr Maclaurin, as I was informed your Lordship had gone North. May you long enjoy every thing that can make you happy & easy! which is the most sincere wish of

Your most Obliged
most humble Servt
ANDw MITCHELL.

No. CCXXVIII.

No. CCXXVIII.

The Lord President to his Son John Forbes, of the Blues.

My Dear John, Edinburgh, 3d June 1742.

AS you desire in yours of the 20th of May, I have given you Credite on Mr George Midleton for £100.; which I understand you are to call for only from time to time, as you have use for it; partly towards your Expedition; & partly, if necessary, for your support in Flanders. I give this Credite without hesitation at this time, because your marching is necessary; and your past Oeconomy may make it necessary for you; but I cannot, without injustice to you and to myself, omit to tell you, that I am not satisfied with the Expence which you have lately drawn yourself and me into. I ordered your bills for £60. and £100. to be payed, without putting the Question to yourself, how you came to outrun your pay so far, because I did not choose to shock you, after your purposes and declarations to me when we were last together; but I took care to inform myself as well as I could at a distance, from some of my acquaintances, concerning the cause of that expence; and I confess I have not received Satisfaction. I do not incline to put you out of countenance by asking any questions on that subject, which is now over, at present; but I must let you know, that, unless you regulate your expence better for the future, I shall be obliged, for your sake as well as my own, to draw in my hand, and to recall you from the trade you have chose; to the doing of which, I am confident, I shall have the approbation of that great Man who first engaged you in it [The Duke of Argyll], and who must know my reasons for the resolution I speak of, should your conduct make it necessary. My indulgence to you hitherto, Dear John, passes over all past failings; but I expect much greater circumspection for the future; and that I never shall hear of any further demand, but what shall have your Cousin Hugh's Approbation; who is an Advocate now for you, but not by Arguments that give me satisfaction. Tho' I am thorowly displeased with, and will no longer endure, your behaviour in point of expence, yet I hope I shall have no reason to be dissatisfied with your Conduct as a Man in point of Courage, Temper, or Care, in the trade to which you have taken. I am

Your Loving Father,
DUN: FORBES.

No. CCXXIX.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 3 June 1742.

I HAD the favour of your Lordship's Letter without date, which I should have answered sooner, but delayed till your return from the North.

The Prospect arising from the Abstract of the Manufactures, and what your Lordship has said upon it, is extreamly satisfactory; and I agree with you, that this infant Manufactory is a promising Child, and well worth nursing and bringing up. I am very sensible, that the fair appearance that now is of success in the Linnen Manufactory in Scotland is chiefly owing to your unwearied and disinterested Care and Concern about it; and, as I am convinced nobody can give better hints than your Lordship, I hope you will turn your thoughts toward whatever you may judge necessary for the further promoting so beneficial a Scheme, and removing any Obstructions that you may have hitherto met with; which you will, at your leisure, be pleased to communicate to me, since I have not the least doubt of obtaining a ready Concurrence in every

every reasonable measure that shall be proposed, for bringing this Manufactory to further perfection.

I hope the Warrants upon the Report from the Trustees, sent up by your Lordship to George Ross, have met with the usual Dispatch in the Treasury. I am, with great esteem and regard,

My Lord,

Your Lordship's most obedient and most humble Servant,

TWEEDDALE.

No. CCXXX.

The Lord President to the Marquis of Tweeddale [in answer].

My Lord, ——— June 1742.

THE satisfaction your Lop expresses, on the progress of owr Linnen Manufactures, and the Resolution you are pleased to declare, of giveing it your Assistance & protection, in the Letter wch you honoured me with of the 3^d^ instant, give me a very sensible pleasure; not only as I am encouraged to hope for success to ane undertakeing which I am so fond of; but as your Lop's entering so warmly into the forwarding a design, which has no other aim but the good of this poor country, is to me ane earnest of what I always wished, and indeed I hoped, to see, when your Lop shou'd come to be employed, a Minister who will direct his care to its most proper object, the reall interest & the prosperity of his Country.

Your Lop, I am confident, will not doubt that I shall be ready on every occasion to contribute all the lights I can afford towards discovering what may be fitt to be done towards preserving & forwarding what has been so happily begun; but as the dangers to be avoided, and the encouragement to be expected, are such that litle or nothing can be done in relation to them without the interposition of parliament, and there seems to be no time left for such Considerations in this Session, your Lop will readily excuse me, that just at this time, when you are so much engaged in business of another nature, and when I am so thorowly oppressed with the unprofitable (I fear) drudgery of my Office, I do not enter into the particulars, which will be better explained to your Lop when my thoughts are more at liberty, after the conclusion of this Session, and when your Lop will likeways be at leisure.

What I then shall offer principally to your Lop will be (a melancholy consideration!) the desperate condition of the Revenues of this Country; which are now in such a declineing state, that the usuall expence of the civill Government can hardly be answered; and as the chieff Support for executeing our Scheme of improvement must arise from surpluses on the Exch^eq^r, shou'd the Revenues continue to produce as litle as they have done lately, there must be ane end to our hopes as Manufacturers. The Civill Government cannot without great difficulty be carried on; and, what very few people attend to, the Landed Interest, as well as the trade, of this part of the Island must be undone. What I shall do is, to hint to your Lop the source from whence this mischieff springs, and to suggest such remedies, as, if they shall be approved of, may, by the Aid of ane Act of Parliament, releive us from Ruin.

Some further encouragements than we at present enjoy are also to be wished for, and to be hoped for from Parliament, if we can qualify our demand so as to secure the Public from frauds, and to satisfye the Legislature that the Revenues shall lose no more than the Parliament, with their Eyes open, give for promoting the Manufacture; and on this subject your Lop shall hear from me when I can command a little time.

As

As to the Obstructions which your Lop may have heard I have mett with in my Manufacturing Capacity, they have ceased in a great degree for some Months past, and will, I dare say, give me very little trouble, so long as your Lop continues to take care of the affairs of this Countrey. If any thing perverse shou'd happen, I shall not faill to let your Lop know it, and to beg your Assistance. At present, I shall detain your Lop no longer than till I have said what is most certainly true, that I am, with perfect respect, Your Lop's, &c.

D. F.

No. CCXXXI.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 24th Augt 1742.

I AM sorry that, by delaying of my Journey so long, the hopes I had of seeing you in Scotland are very uncertain; especially as I am informed that you are already gone North.

I desired the Lord Advocate to talk with you of a plan for the better regulating the Courts of Justice in Scotland; and particularly, for making the Circuit Courts more useful to the Country; of which I should be glad to have your Opinion; for I have long thought a new Law for that purpose was necessary.

I wrote some time ago to General Clayton to advise with your Lordship, Lord Arnistoun, and the Lord Advocate, in order to prepare a scheme for preserving the peace of the Highlands, and preventing depredations; and I hope you will give your assistance in framing a proper Bill, to be brought into Parliament for that purpose; since all attempts hitherto made have proved ineffectual.

I expect you will, from time to time, inform me of whatever you think may be of advantage to the Manufactures of Scotland; and you shall always find me willing to second and promote your views for their Encouragement.

If I can be of any use to your Lordship or any of your friends here, I am ready to receive and obey your Commands.

I am, with very great esteem,
My Lord,
Your most Obedient humble Servant,
TWEEDDALE.

No. CCXXXII.

Mr Fane to the Lord President.

My Lord, The 14th Septr 1742.

MY Uncle show'd me to-day your letter of the 11th of August; and, in Obedience to your Commands, you have the trouble of this, to bring an Acco[t] of the welfare of that worthy Gent[n] my Brother, and all the rest of us. The great civility and good manners wth w[ch] the E. of W——n, Mr S——ys, and the rest of the Board, treat him, has raised his spirits, and make him go on with business cheerfully: and indeed, without an experienced Leader, what can unexperienced Commanders do? He is able and willing to instruct them, and they are willing and desirous to gratify him & his friends; w[ch] I have lately experienced, by their appointing me to succeed Mr. Tilson. Poor Tilson was so struck at the summons he received from the Secret Committee, that he never

never recovered his spirits, and lingered out a miserable life as long as a strong heart and lungs would keep life in him. We have but bad News at present from Germany; where, I fear, the raising the Seige of Prague will make our wicked neighbours more troublesome than before; and, indeed, there is no wonder they succeed in their projects; for in those Courts where their flattery won't do, they prevail on them with money; so as by one way or another they drive the world before them. I fear, my Lord St—— will have no success. They are very Obstinate who are of the side of France, tho' on the other side our friends are very clamorous; and it's imagined, some time or other, the people may be enraged ag^st the French party; for wch they all seem to be ready, being in general for a War wth France. I wish the K. of Sar——a may be kept steady: that was always a political Court; and French Offers may carry him off, and then good bye to the liberties of Europe.

Your Lordship will say I am a thorough Englishman, as I can write of nothing but politicks; that, indeed, is too much the case of all of us at present; for the publick is now-a-days much more regarded than our Shops and Estates. I do assure you, that I have a very great Love for my Country; but when I descend to individuals, I can't help thinking of myself, and therefore hope I shall mind my Business, and be able to get bread for myself and family.

Tomorrow I go into the West of England, to let my Wife show her husband amongst her acquaintance; and besides I must appear at Lyme the 4th of October, to be sworn Mayor of that antient Corporation. When I return, I shall be greatly honoured to receive your Commands, and shall ever be glad to approve myself, wth the most sincere Esteem and Regard,

My Lord,
Your Lordship's most faithful and most Obedient humble Servant,
HEN. FANE.

The K. will soon go for Flanders; from whence I hear, by the last return, we had 1390 men sick; and if they take the field, farewell to them all.

No. CCXXXIII.

The Lord President to the Marquis of Tweeddale.

My Lord, Colloden, 18th Septr 1742.

A SMALL excursion which I made last week in my Neighbourhood render'd it impossible for me to return ane answer sooner to the letter your Lop did me the honour to write to me, of the 24th of August.

It is no small mortification to me, that the necessity I am under of attending some affairs that concern me in this country should deprive me of the pleasure of seeing your Lop in Scotland, & contributing so far as I am able (by opening fully my sentiments) to your generous design of employing your power to the good of your Country; but what I cannot have the happiness of doing by word of mouth, I shall cheerfully make up, so far as it is, double, conferring freely with my Lord Advocate, or any other person your Lop thinks fit to advise with; &, after such consultation, giveing your Lop in writeing my sentiments, if you require it. Your Lop observes very justly, that our Courts, & particularly that of justiciary, stand in need of some regulations; but the work is of great delicacy, & requires much consideration; & in some cases, as in that which your Lop mentions of the justiciary, must be attended with some expences. As the Law stands, a Robber, or any other fellon, committed in this or any other remote part of the Country, has a right to bring on his triall in 60 Days, or to be dis-

mist,

mist, except his Committment should happen to be, just before the annuall circuite. If he run his letters, he must be dismist, or carry'd to Edr to be try'd in the Court of Justiciary, where he is probable to be acquited for lack of evidence, unless the prosecutor will put himself to ane expence for which there is no sufficient provision made by the Publick; nor can this be remedied, by restoreing the Octr circuit, wtout doing somewhat more than doubleing the expence that the present course of the assises costs. It is manifest, that the sum allow'd to defray the expence of the itinerant judges is too small; which, possibly, may be the cause why their stay is so short in the places where they hold their Aires, & consequently why they are not more usefull to the country. I fling out this Observation at present, that your Lop may have it in your view, that towards giveing the Law its just course, the Government must be at a larger expence than is now bestow'd; and, as the Revenues in this Country, managed as they have been, are not well able to afford a greater expence, whoever will give himself the trouble to devise means for secureing the peace or improveing the policy of this poor Country must begin with correcting those abuses that have long prevail'd in respect to the Revenues, & thereby furnish the Government with means to execute such regulations as may be projected; and as your Lop will soon be in Scotland, I take it for granted, you will think it proper to consult with such as understand this subject best, on the fitest method of promotting & secureing the Revenue: a matter that has [been] hitherto scandallously, if not criminaly, neglected.

About 3 Weeks agoe, when Genll Clayton was with me here, he acquainted me with your Lop's commands, & I oppen'd to him my thoughts of what was fit to be done for the preservation of the peace of the Highlands, & the prevention of Depredations; & here again, as he will inform your Lop, a further expence again is necessary; but as what I oppend to the Genll may require further deliberation, I shall be glad to reconsider it with Ld Arniston & Lord Advocate when I get to Edr, if I shall be so unhappy as not to see your Lop there.

The concern your Lop shows for our Manufactures would enflame my Zeal for them, if it wanted any fire. I most certainly shall profite of your invitation, & let your Lop know from time to time what we want & what we wish.

Tho' I very much fear that the shortness of your Lop's stay att Edr, & the necessary length of mine here, will be ane insuperable barr in the way of my desire of waiting on you, yet I wish to know, if it may not be improper for your Lordship to discover it, what is the longest term that you allow for your remaining in Scotland; to the end, that if it be at all possible for me, I may stretch a point, to have the satisfaction I aim att: but whether I shall or shall not be lucky in that particular, I shall still have the honour to be with perfect respect, &c.

No. CCXXXIV.

The Marquis of Tweeddale to the Lord President.

My Lord, Yester, 6th October 1742.

I HAVE been favoured with your Lordship's of the 18 Septr; and I regret much I had not the pleasure of seeing you; since I am sensible many matters of consequence to the interest of this Country could have been opened to better purpose by word of mouth, than possibly can be done by writing.

From the little observation I have made, I have been long of Opinion, that our Courts of Judicature, not only the Court of Justiciary, but even the Court of Session, stood in need of some Regulations. I own, it is a work of great delicacy, and will require

require much consideration; but not of so great difficulty as not to be got the better of, if your Lordship, who understands this subject perfectly, will, in earnest, employ your thoughts that way. I have discoursed a little with Lord Arnistoune on the head, but without coming particularly to any point; since I told him freely, as I now do your Lordship, that I neither incline to meddle in it myself; nor, if I should, have I indeed any hopes of success, unless you two were perfectly agreed in your sentiments about any scheme that could be proposed. In that case, I am apt to flatter myself, that my endeavours to carry it through above would not be fruitless: at least, it should either pass in the way proposed, or not at all; and in that view, if no good, no harm, could be done. It will be unlucky if nothing can be attempted at this time, from the difference of opinions that may be amongst you here; since if this opportunity be now lost, it is not easy to say when we may have another.

I agree with your Lordship, that it is absolutely necessary, that the Revenues of this Country should be well managed, and narrowly lookt into; without which it is in vain to devise means for securing the peace, or improving the policy, of this corner of the Island. I shall not be wanting in my endeavours; and shall be much obliged to you, if I am favoured with your sentiments of what may be the fittest method for promoting and securing the Revenue, as well as for correcting any abuses that may have crept into the management.

I have desired my Lord Advocate to talk with your Lordship, and General Clayton, of what may be fit to be done for the preservation of the peace of the Highlands.

The Encouraging our Manufactures here, in which your Lordship so generously employs so much of your time, is of so great advantage to this Country, that I hope you shall never have any reason to doubt of my firm resolution to second your views; and, that I may be better instructed than I am at present, I must desire, that you will give orders to the Secretary of the trustees, to transmit to me the several reports that have been laid before his Majesty, since he was first graciously pleased to grant a patent; that I may have a general view of the whole from the beginning. I must not disguise, that I have often heard it complained, that several persons have obtained little offices there, rather with other views than to encourage the Manufactures. I know well, that it is not possible to remedy this altogether in this Island; but for myself, tho' I should now and then recommend some persons to you to be employed (and this shall be in as few instances as possible), I shall never desire my recommendations to be complied with, if you think the persons not proper or fit to be trusted in the discharge of that duty. As there are several Vacancies of Trustees, I would submit to you, whether it would not be proper that these should be filled up, both with Gentlemen and Merchants of the best repute in the different Shires and principal Burroughs of this Country, who might correspond with your Secretary at Edinburgh. By this means, you would have a more general View of the State of the Manufactures over the whole Nation; as also these Gentlemen, by their Credit in their respective Countries, might have great influence with their neighbours, the justices of the peace and Magistrates, in discouraging many male-practices equally detrimental to the Revenue as to the Manufactures. I don't know in what manner the patent for the Trustees is framed, having never seen it; but I would suggest to you, whether it might not be proper, after the number of the Trustees is once completed, that they should have a power in themselves to fill up vacancies when they should happen, that a constant succession of them may be preserved.

I shall trouble your Lordship no further. I have taken up too much of your time already, in throwing out such raw and indigested hints as have occurred to me. I can answer for my own intentions; how far I shall be rightly advised or properly supported,

time will discover; but I shall not be easily discouraged. I shall leave this place for London the beginning of next Week: if your Lordship has any Commands for me there, you will always find me ready to receive, and willing to obey them; being with the greatest truth and Esteem,

My Lord,

Your Lordship's most obedient
& most humble Servant,
TWEEDDALE.

No. CCXXXV.

The Lord President [probably to the Marquis of Tweeddale, about 1742.]

On the State of the Revenue of Scotland; with proposals for improving it, &c.

My Lord,

I VERY gladly lay hold of the short recess from the Business of the Session, we now enjoy, to discharge in some sort my promise of exposeing to your Lop's view the state of this Country, as it relates to the Manufactures, which for some years past I have taken a pretty deall of pains about; and as it relates to the Revenues, without which neither can the civill Government be carried on, nor the Manufactures in any degree be encouraged, or indeed supported.

The Trustees for the Manufactures are now bussy in drawing up their Annuall Report to His Majestie, and framing a Plan by which the Monies allotted for Improvements are to be issued for the 3 years next ensuing, if His Majesty shall be graciously pleased to approve of the same. And as this Report will in a little time be transmitted to your Lordp, I need not lengthen a Letter which, without such addition, will, I am afraid, be too long, by entering into the particulars that are to be reported; but it is necessary for my purpose in generall to mention to your Lop what I am confident you will be glad to hear, That our Linen Manufacture is in a very thriveing way; that we have hopes of succeeding in our endeavours of propagating the Manufacture of coarse Linen, the fine being already very well understood; that we have expectations of discovering a method of Bleatching or Whitening such coarse Cloath under one penny per yard; that a commendable spirit of launching out into new branches of the Linen Manufacture, such as thread Stockings, Tapes, incle, coloured thread, figured work for Table Linen, &c. is raised, and would most certainly be encouraged if our funds had answered our expectation;—That our spinning, which is indeed the Basis of the Manufactures, is so far advanced beyond that of our neighbours, whatever they may think fitt to give out to the contrary, that very large quantitys of our yarn are bought up, and transported by the Irish; which, tho' it lessens the quantity of our Cloath, yet proves ane encouragement to the Spinning, and may therefor be fitly winked at for some time; tho' at last it ought to be prevented, because, tho' we with pleasure see great quantitys of Linen Yarn carried to Manchester and ỹ parts of England to be wrought up into different sorts of Goods, and hope that this trade, which is of advantage to the whole Island, shall continue; yet we flatter ourselves to have in due time the favour of the Legislature on our side, to hinder our Rivalls in trade from raising the Mercat of our Yarn so high as to spoil our trade, and perhaps prevent our supplying the other part of this Island of what we now afford for its service.

As what I have said gives a very promiseing view of this Manufacture, I must not conceal that it is the *only* thing that promises any good to this poor Country. The fishery has totally failled for some years; the foreign trade of Glasgow, which is

chiefly the West Indian & American, is pinched by the War with Spain; that of the rest of the Country is worse than nothing; it is pilferring from the revenue, & picking the pockets of the people of any ready money they have, to pay for forreign Bouvrage, which supplants the consumption of the growth of our own estates. The Mercat for the Serges & Stockings of Aberdeenshire has fallen, they say, by reason of the War with Spain; and there is remarkably less coin to be met with than ever was at any time within Memory knowen, even in this poor Countrey; occasioned chiefly by the gradual but continuall exportation of our Bullion for Tea, Coffee, & Forreign Spirits, and rendered severely sensible by the great importation of Grain during the late scarcity; which, falling in with a Season when the Exchange was considerably against us, raised that Exchange so high, that *de facto* almost every one who had occasion to make remittances made them in Gold. And this circumstance has so thorrowly drained the Countrey of Gold, that paper is the only coin that one sees; and even it is far from being in any tollerable plenty. Under this last Circumstance, that the Linen Manufacture has stood its ground is more than could well have been expected; but how long it can stand, if some remedy is not found for the evil complained of, is more than I can take upon me to say.

This unhappy situation is very melancholly; and if at all remediable, the cure cannot be compassed otherways than by slow degrees. But what immediately claims your Lop's attention and what has for a great while exercised mine, is the ugly prospect of *immediate ruin* to our Manufactures, throw the apparent faillure of the Revenues by which they are supported, which in their present condition are not able to answere the expence of his Majesty's Civil Government in Scotland; so that, unless some Remedy is found out and applyed, the System of Government in this part of the Kingdom must stop, or be kept in motion by remittances from the other. How *palatable or practicable* that will prove, your Lop may easily perceive.

That your Lop may see this matter in the light in which it presents itself to me, you will be pleased to recollect, that the Annuall expence of the Civill Government in Scotland, includeing the equivalent Annuity, and the Annuity for the Manufactures, payable at the Exchequer, runs from 51, to £52,000; whereof £29,020 [are] the yearly expence of the 3 Courts; £10,600 the Annuity due to the Equivalent; & £2000 the annuity due to the Manufactures: And the rest composed of Sums by warrant, few of which can possibly be dispensed with.

That the fund chiefly relyed on for answering this Annuall Expence has been the Excise, and the other Duties under the Manadgement of the Commissioners of Excise; the Customs haveing for many years produced litle worth speaking of; and the Salt duty, whether on a right or wrong construction of the Statutes relative thereto, I do not take upon me to say, haveing since it was last imposed been withdrawen from answering the occasions of the Civil Government to which it was formerly applicable and applyed.

That the Excise properly so called, I mean the Duty arising from Beer & Ale, and Spirits, amounted (to carry the matter no further back than the year 1733) to about £40,000 (I take a round sume, for the nett duty of that branch at Midsummer in that year was £41,543. 13. 1½.); and this with the dutys on Leather, Candles, Soap, &c under the same manadgement, which one year with another runs to 8 or £9000. required but small assistance from the other revenues, to answer the expence of the Civil List.

But now it so happens, unfortunately, that whilst these other revenues Club litle or nothing to those Expences, the Excise has fallen nearly one half. The net produce of what I call the proper Excise was, for the year ending at Midsummer last, no more than £22,451. 5. 7.; and when the oÿ dutys above mentioned, under the manadgement

ment of the same Commissioners, are brought into the Accompt, the totall sume of which the Crown can availl itself amounts for that year to nearly £31,240.; which could not possibly defray the expence of the Civill Government, and answere the Annuity due to the Equivalent Creditors and to the Manufactures; and, accordingly, the Exchequer has been obliged, I wou[d] not say to stop, for that is ane *ugly* word, but to delay payments.

The Warrand for paying the annuity of £2000. to the Manufactures at last Midsummer has not hitherto, been complyed with. The Michaelmas quarter's Sallary to the Judges of the 3 Courts have not been payed; of course, no other payment has been made; and when any payments shall be made, your Lop will readily observe it can only be by anticipation; makeing use of the Revenues as they come in for this year, to answer the regular charge of the last; so that tho' things may be kept quiet for a few weeks or months, unless the Revenue can really be recovered so as to answer the Public expence, the outmost distress & loudest Clamour must ensue. That which affects me infinitely more than the delay of payment of that trifle which is my Sallary, is the inability we, as Trustees for the Manufactures, are under to answer the expence of our little System; which, if it once fall to pieces, or meet with any considerable check, I greatly fear nothing practicable in this Country, considering the Poverty to which it has fallen, can restore. And I confess to your Lop I look with no small concern on the confusion which must follow on the stopping payment of the Equivalent annuity, and some other of the Expences of the Civil Government, besides the establishment for the Courts.

Had the diminution of the Excyse been owing to the casualty of a bad Crop, which frequently occasions a shortcomeing, as it did for example in the year from Midsummer 1740 to Midsummer 1741, wherein the net duty amounted to no more than £18,899 1. 3¼., it would have given me no pain, because a more plentifull Harvest would have repaired the loss. But the misfortune is, That this decay has been regular and progressive, growing more sensible from year to year ever since 1733, and must continue for ever, how plentifull soever our Crops may be, unless the cause of that decay is discovered and removed.

It becomes therefor highly important for us, who belong to this poor Country, to search after the cause of this mischief, and if possible to eradicate it. The first point is easily compassed; the second is a work of much more difficulty; but it must necessarily be attempted; for if we do not destroy it, it will most certainly destroy us, and that very soon.

The Cause of the mischief we complain of is, evidently, the excessive use of Tea; which is now become so common, that the meanest familys, even of labouring people, particularly in Burroughs, make their morning's Meal of it, and thereby wholly disuse the ale, which heretofore was their accustomed drink; and the same Drug supplies all the labouring woemen with their afternoons' entertainments, to the exclusion of the Twopenny.

The Ostend Company first, and afterwards that settled at Gottenburgh, not only filled the north of Europe with Tea, but by necessary consequence brought down the price of it very low. Severall persons belonging to this Country, of low if not of desperate fortunes, were concerned in the service of these Companys, particularly of that of Gottenburgh. They run their low-priced Tea into Scotland, and sold it very cheap; a pound went from Half a Crown to 3 or 4 shillings. The good wife was fond of it because her betters made use of Tea; a pound of it would last her a month, which made her Breakfast very cheap, as she made no account of the Sugar, which she took up only in ounces. In short, the itch spread; the refuse of the vilest Teas were

were run into this Country from Holland, sold and bought at the prices I have mentioned; and at present, there are very few Coblers in any of the Burroughs of this Country who do not sit down gravely with their Wives & familys to Tea.

It is above seven years since I forsaw or rather saw this abuse, and warned ag^{t} it. The better sort of the Commonalty first gave into it, and of course left off their Morning Drink of Ale, which impaired considerably the Excise. But when, by degrees, the Commons within Burroughs almost universally followed their example, the use of Ale and Beer for mornings and afternoons was almost wholly laid aside; and the Revenue of Excise has sunk in proportion as this villainous practice has grown.

Nor is it that revenue only that suffers by this unaccountable abuse. The duty of 2 pennies on the Pint of Beer and Ale, which Edinburgh, Glasgow, & allmost all the other considerable Brughs of Scotland, begged of the Parliament, and depended on as the Chief fund for defraying ther Common expences, is sunk rather in a greater proportion than the Excise; as this pernicious practice prevaills more within Brughs than in the Country. And what grieves me most, the Malt duty, which formerly yielded considerable surplus's to the Manufactures, after answering the net sum of £2000. to the Crown, has not been able for severall years to answer the sum which the Public is entitled to have.

This last article claims (in a particular manner) your Lop̃'s attention. By the Malt Act, which charges Scotland with the Duty of three-pence per Bushell, it is provyded, that in case that duty does not produce the sum of £20,000. clear to the Crown, the deficiency shall be made good by a surcharge. Now as the Sums in which the Malt Duty has been deficient for the four years preceding Midsummer last amount to about £21,000. this poor Country is, within the words of the law, liable to a Surcharge for that large Sume. What distractions the exacting wou^{d} occasion, your Lop̃ can easily figure to yourself; nor do I mention it from any apprehension, that those who have the honour to serve His Majestie in the direction of the Revenue will think of such a harsh measure at this time; but purely that your Lop̃ may see from this, as well as the other Considerations mentioned, how important a point it becomes, to devise & to apply some effectuall remedy to the destructive evill I have been speaking of.

If I am not very much mistaken, your Lop̃ is by this time satisfied, that the excessive use of Tea is the principall cause of the misfortunes we feel, and are likely to suffer under more smartly; and that if some effectual remedy is not applyed, we are undone. What I am next to trouble your Lop̃ with is, what, upon the most serious consideration, occurs to me as the only practicable manner in which to attempt relief.

Could the running of Tea be prevented, so that every pound of Tea sho^{d} fairly pay a Duty of four shillings, the abuse complained of would cease of course; because it is the meanness of the price that encourages the poorer sort to purchass; and the duty, added even to the low values at which it is now sold, would prove ane effectual Bar to the use of it amongst such as have deserted twopenny for it. But then, considering the extent of our Coast, the small number of Officers which our Revenue can entertain, and I am affraid I may say the Corruption of these Officers, it is, at least it seems to me to be, utterly impossible to prevent the running of this light Commodity by any law yet enacted, or that may be devised.

It might, indeed, be very possible to prevent the use of it amongst such as could not afford to pay the duty, and to recover the duty from such as shou'd continue to use it, by very rigid excise laws, such as England wou'd not choose to submitt to, or by levying a rate from the familys in which Tea is used by a sort of Capitation tax, in the manner in which such Dutys are levyed in Holland; and a Method might I think be

be contrived, not subject to a possibility of fraud, whereby such persons of this Countrey as truely made use of Tea which paid duty in London, might draw back that duty. But as I doubt, nay indeed I hope, that England is not so much hurt by this abominable practice, either in its revenues or other interests, as we are, so that it is not likely they will be disposed to make use of a remedy which to them may seem so violent, however I might for my own part choose to submitt to any method of exaction rather than be overwhelmed with immediat ruin; yet, as it would be extremely dangerous, in point of Precedent, to submit to a different tax, and a different method of levying it, in the one part of the Island from what takes place in the other, I confess I think this ought to be considered as the last shift, and every other possible method ought to be first essayed.

What appears then to me to be a remedy not attended with any insuperable objection is this in a few words: By Act of Parliament to prohibite, under sufficient Penaltys, to be recovered with certainty & dispatch, the use of Tea amongst that Class of Mankind in this Countrey whose Circumstances do not permit them to come at Tea that pays the duty; and yet whose takeing to run Tea, and deserting the use of Malt Liquor, occasions the Complaint.

The principall difficulty that appears to me in this Scheme is, how to describe with certainty the persons intended to be prohibited to make use of Tea, and how to make the proper provisions for the ready and certain execution; for I hope the generall design of prohibiteing the use of any Particular Drug to any particular sett of Subjects who cannot possibly come at it in a fair way, is not liable to any just Exception. It has been the Policy of a many of the wisest and of the freest states to regulate the Dyet of their Citizens. Sumptuary laws have never been thought unjust restraints; and the late instance of the Gin Bill, whereby the health of the lower Class of Mankind in England was taken care of by Prohibitions and severe Penaltys, is ane answer to every objection that can be offered to the generall design of the law I propose.

The East India Company cannot possibly be affected by this proposition; for, besides that, in fact, the whole Tea intended to be prevented to be used comes from Gottenburgh & Holland, the Prohibition is not meant to affect that Class of Mankind that can come up to tea that pays the Duty; such as is all the Tea in which the Company is interested.

With respect to the description of the class of persons intended to be affected by the prohibition, it is evident no description of which we have Precedents in the law of Scotland will do. The distinction made in the Stat. 1701, concerning Personal liberty, between Noblemen, Landed Gentlemen, other Gentlemen, and Burgesses, & Persons below that Rank, will not answere, nor will any other that I know of hitherto made use of. But I think that, as what gives rise to the grievance is the use of vile tea by such Persons whose low circumstances will not permit them to purchase better and dearer, a Rate shou'd be thought of and settled, of the fortune, or yearly income, of those who may be supposed capable of supporting the expence of Tea that may pay duty; and all under that rate ought to be prohibited the use of it.

For Example; if it shall be thought that a person who has of yearly Income, whether from Land, Money, Trade, or any Art or Profession, £50. £100. or any other Sum to be fixed in the Bill, ought to be permitted to make use of tea; then all who cannot show that they have such yearly income may be prohibited; and the makeing use of Tea in their family by themselves, their wives, their Children, their Servants, or any other Persons, may be made penall, and the *Onus Probandi* of the Extent of their yearly Income may be layed on them; with a provision, that the evidence offered by them

may

may be redargued by their Oaths; as also with a Provision that the offence, I mean the makeing use of Tea in their familys, may be proved also by their Oaths if the Prosecutor thinks fit.

As these Provisions are pretty severe, I think the Penalty for the first Offence at least ought to be very moderate: I should propose 20 or 30 shillings; to be doubled for the 2d offence; and so to rise, either by doubling the last sum, or by adding 20 or 30 shillings for every subsequent offence.

I would give the right of informing to the Officers of Excise, because they are subject to direction, and correction in case of neglect, oppression, or collusion. I would give the one half of the Penalty to the Informer, and the other half to the Cashier for the Manufactures, for the use of Manufacturers, to gain favour to the Prosecution, and lessen the odium that it might at first, and amongst unthinking people, raise.

I wou'd make the Penalty recoverable upon a summary Complaint before the Baillies within Brugh, or before the Sheriffs, Steuarts, Baillies of Regality, or any one Justice of Peace in the Land Ward, together with the full Costs of Suit. But then, to prevent Partiality, in case of the Magistrat within Brugh, or the Countrey Justices, acquitting contrary to evidence, I wou'd give the Informer, with the concurrence or approbation of the Board of Excise, a power of exhibiting a Summary Complaint before any of the three Courts that shall be thought proper against such Magistrate or Judge; and I would make the Penalty of acquitting contrary to evidence deprivation, incapacity to hold again the Office forfeited, with double or treble Costs of Suit. N. B: As the projected regulation, tho' intended to promote the Revenue, gives nevertheless no duty to the Crown, and as the Offence to be punished is the trespass of a Judge contrary to evidence, there is no occasion of giveing the Cognizance to the Court of Exchequer; and as the Chief end of the severe Provision proposed is, to frighten from willfull wrongdoing, I believe the effect wou' be best attained by confineing the Conviction to the Court of Session.

As the lowest rank of House Keepers make use of Tea, so the Servants, particularly the females, in better familys, make it their Morning & Afternoon's Dyet: Now I wou'd submitt it, whether the use of it to all Servants might not be prohibited, under the like Penalty, to affect the Master or Mistress of the family if unmarried, and recoverable in the same manner and upon the like proof as in the other case.

It may merit consideration, how far some persons whose circumstances may bring them within the Prohibition, but who by a long custom have been so habituated to Tea-drinking, that ane alteration of Dyet may be extreamly uneasie if not prejudicial to them, may not be allowed some indulgeance; and if that Sentiment prevail, such indulgence may be given to such persons as shall enter their names with the Excise Officer, and pay down, for a Licence to make use of Tea for a year from the date of such Entry, 40 shillings or any other particular sum to be limited; but subject to the Condition, that no Tea shall be used in the Family by Servants, &c. If this small sume cou^{d} be appropriated to the Manufactures, it wou^{d} be convenient; but if that meets with opposition, I do not insist on it.

After haveing given your Lop this rude sketch of my project, I am conscious that, as it has much novelty in it, it must appear uncouth, and requires a good dale of consideration to bring Men to approve of it, especially in the part of the World where your Lop now is. But, as it is intended only for Scotland, and is to have its execution there, I should hope the necessity must appear so urgent to the Ministers with whom your Lop will consult, that if no better or more effectuall remedy can be fallen on, this or some such method will without loss of time be pursued.

As for the reception of it in this Country (and that is cheiffly to be considered, as it is to affect us only), I think I can answer for the Sentiments of all sober Considerate Persons, who, besides the Considerations already stated relateing to the Revenue and the Manufactures, are & must be conscious, that to this rascally practice of running and makeing use of run Tea, the loss of our Bullion and the present poverty of our Country is in a great measure owing. No Man in the Kingdom, in Conversation, contraverts this; and those whom the Prohibition is not to affect, one shou^d think, shou^d be glad to see it take place.

But, besides, there is reason to expect a hearty Concurrence of all Persons of any Condition, from two separate Considerations, which I shall just mention.

The first is very generall, & regaurds all Heritors and Tennents or farmers in Scotland: it is grounded on this, that, except in the highlands & some particular Districts, all the Rents in Scotland arise from Grain. In many Countrys the rent is payable in Grain; and where it is payable in money the Tennent or farmer must make money of his Grain before he can pay the rent. Now, as preventing the Consumption of one third or one half of the Grain produced must necessarily, in case of no demand from Abroad (which often happens), lower the price of the whole in a very great proportion, so much must the Heritor or the tennent in the several cases lose of his reall income. And if that loss sho^d be rated at $\frac{1}{4}^{th}$ of the whole, or 25 per Cent. when the Brewary is no greater than it is at present, and when there is no forreign demand, the computation of the loss wou^d, I doubt, be too low; and on this consideration I shou^d hope the Heritors & farmers of Scotland, who can make the least use of their understanding, must favour the Scheme.

The 2^d confines itself to the Royall Burghs that have the grant of the 2 pennies on the pint already mentioned; and in these the wrong complained of is cheiffly committed, and the severity of the remedy will be principally felt. I have already taken notice, that the produce of their Grants is fallen with the Excise; and that thereby they, and in particular Edinburgh, are left in a miserable condition, stingleing with their Debts, without any hopes of relief but from the recovery of the Excise. Now, tho' the villanous litle Smuglers in such Burrows, and the mean Creatures who retaill or use their Goods, may raise a Cry, yet it is to be hoped the Magistrats that are, that have been, or that hope to be, and all the substantiall part of the Burgesses, will propagate the contrary opinion, and speedily put ane end to the Clamour.

By the earnestness with which I contend for this or for some other immediate remedy, your Lordship will be apt to imagine the use of Tea to be the only cause of the decay of the Excise and Malt duty in my opinion, and that this cure alone adhibited will restore these Revenues; and on this subject I must explain myself, by informing your Lo^p that the excessive use of Brandy, & oy^r forreign uncustomed Spirits, has cost this poor Countrey very dear; that it has been from the begining, and continues to be, a very great drawback upon the Revenue; and that if it could be restrained, those Revenues would undoubtedly rise and improve to a certain degree; but then it appears to be certain, that the use of uncustomed spirits never did half the mischief that Tea has done; that these Spirits were as much used, I mean, by the twopenny Drinkers when the Excise run to £40,000. as they are now; and therefor that the vast decay now felt and complained of is cheiffly, tho' perhaps not only, owing to that most mischievous Drug. Now when the use of it is restrained by the intended law, or by any other that may answere the purpose, I shou^d hope that, for the further promoteing the Revenues, the strickest orders will be given, to put the Laws against the use of Spirits, especially those that are uncustomed, to due execution.

When

When I gather together the different sheets of which this Letter is composed, consider the almost intolerable length of it, and view the scarce legible Scrawl in which it is written, I have great reason to beg your pardon, and to entreat your patience. The importance of the subject (as it appeared to me) induced me to bring together every thing that cou'd afford your Lop light; and the recess gave me some spare time to put my thoughts on paper, tho' it did not furnish me with a more legible hand; and I did not think it fitt to trust a Common Clerk with what I now lay before your Lop. If it shall appear proper to you to lay this, or the Abstract of so much of it as you may think materiall, befor those whom it may be necessary to consult with, and whose assistance you must have to extricate us from this difficulty, it may be Copied over fair, or ane Abstract made of it; and if any thing can possibly be done upon it this Season, my Lord Advocat, who is with you, will be able to put a Clause or Clauses in form; and the course of the Post will fetch your Lop from hence any Eclairisement that I can give upon any matters that may want further Explications. I shall by this Post write to Mr. Scrope on the same subject; but, as he is possibly acquainted with the state of the revenue here, my Letter to him shall be very short.

I gave Orders many Weeks ago to Copy over for your Lop all the Reports from the Trustees for the Manufactures to the Crown. The Copy is now very near compleat, and it shall soon be transmitted. I shall probably give your Lop the trouble of a note on ane other subject by the next post.

Upon glancing over what I have wrote, besides the imperfections already taken notice of, I observe many unaccuracys of expression, and escapes even of spelling, which your Lop will be so good as to overlook; since my paper does not allow me room to correct them, nor my time leisure to make a fair Copy of what I have flung on this paper. I am with perfect respect,

My Lord, &c.

No. CCXXXVI.

The Lord President to Sir Willm Yonge.

D: Sir,

I IMAGINED that I had been quite forgot by my old acquaintances, which is the reason why you for some time have had no trouble from me; but I have lately been very agreably convinced that I was mistaken, by a letter from Mr. Scrope; who assures me, that upon Mr. Pelham's recommending John Forbes, a near relation of mine, for a pair of Colours, you readily undertook it, with such expressions of friendship for your humble servant, as convinced me, that those who delight in railing at Ministers, ly, when they swear that Memory of former Acquaintance is inconsistent with high and busy Employments. Give me leave, therefore, to return you my thanks for the good will you have expressed; and to assure you, that it will heighten the relish of the favour which I am very desirous to obtain for the Young Man, that it will carry alongst with it evidence of the Continuance of your friendship. I am,

My Dear Sr William, very truely,

2d June 1744. Your Most Obedient & most humble Servt.

CCXXXVII.

The Lord President to Mr Pelham.

D: Sir,

WHAT brings you this trouble is, a letter I had from my old friend Mr Scrope, acquainting me with the very Obliging manner in which you received the application made by him for a pair of Colours to my first Cousin John Forbes. Favours I have ever been shy of begging; and never could bring myself once up to ask them, but from the Man to whom I wished to owe them; that is, whose good will I was confident of, and to whom doing Service in my turn would be to me a sensible satisfaction. It was for this reason, and because I did not know that any such person had for some time past the bestowing Commissions, that I made no application for my young friend; but now, that I learn, with very great satisfaction, that it is not pressing you (from whom I have received many, and those early marks of friendship,) to go out of your way, when I intreat that you may procure this favour for me, I without the least hesitation renew the application that Mr. Scrope made in my name; and, at the same time, return you the thanks of an Old friend & sincere well wisher for the forward steps which, as he tells me, you have already taken, to accomplish what I aim at. I wish it may be in my power to show you, by reall services, how much I am, Dr Sir, your much obliged, and M. F. H. S:

2d June 1744.

No. CCXXXVIII.

Chief Baron Idle to the Lord President.

My Dear Lord, Westow, Novr 6, 1744.

A NEW correspondent arises to your view; but one who will not give you the trouble of sending an Answer to the message which this bears, but hopes to receive your Lordship's Commands in person. It brings you my sincere wishes of health to undergo the fatigues of the term; but chiefly this is design'd to present my Lord Chancellor's Compliments to you, which I received in command here, by Letter sent to Dalry, after I had left Scotland in August last; and as I cannot deliver myself better than in my Lord's own words, I shall beg leave to transcribe them: "I beg you "would assure my Lord President of the grateful sense I have of his goodness to me; "and that he has not any where a more faithful servant. I heartily congratulate him "on the success of his pamphlet, which at the same time does honour both to himself "and his Countrymen; to the first, as an excellent public-spirited writer; and to the "latter, as being capable of being wrought upon by reason and solid argument*. I "cannot but wish that he would take the pen into his hand again, and write a second "part for England; which, in truth, wants to be converted on that subject." These are my Lord's own Words; and I think I could not have done justice to him and your Lordship without transcribing them. I fully intended [to] have been at Dalry before the beginning of the term; but have been prevented by different accidents, by bad weather, and, allow me the paradox, by good weather. Add to this, my mother has been so ill, that I thought she would have died; but she is better, and I hope to set out this week. I have the honour to be,

My Dear Lord,

Your Lordship's most faithful and affectionate Servant;

I. IDLE.

* This alludes to a pamphlet of the President's against Smuggling.

No. CCXXXIX.

No. CCXXXIX.

From Sir Andrew Mitchell to the Lord President.

My. Lord, Whitehall, 26th Janry 1744-5.

THE Assurances you was pleased to give me of the continuance of your friendship and regard will, whatever happen, be a great comfort and satisfaction to me; as the approbation of those I honor and esteem is a reward more desirable than riches and reputation.

When your Lordship asked from me an explication of the late phenomenon in Politicks, you had certainly forgot that it is far more hard to give a true solution of a Political Phenomenon than of a natural one; because in the one, there are certain unalterable and established laws, by which from the effect produced the cause may be conjectured; whereas in the other, the principles are not fixed nor determined, and, the appearances being generally deceitful and fallacious, it is almost impossible from the effect to trace the Cause. I shall however, in obedience to your Commands, give you my opinion upon the whole. Your Lop must already be fully informed of the imperfect & unnatural coalition that happened three years ago; the consequence of which was a violent and early jealousy, that shewed itself on every occasion, between the old and the new administration.

His Majesty's going abroad, and what happened in consequence of it, gave an opportunity to those at home to impute all mismanagements before, at, and after the affair of Dettingen, to a certain person that attended his Majesty; and it was as publickly said, as it was believed, that that Noble Lord was willing to sacrifice the interest of his country, and every thing that was dear or valuable, to the passion of his Master, in order to gain his ear and favor. How far this Charge is true, it is needless for me to determine; but it served the purpose fully; for it was believed. During his Majesty's absence, much Court was made to Lord Cobham, &c.; but the negotiation miscarried at that time, though it was intended to be put in execution at the beginning of the Sessions of Parliament 1743. The business of last Session was carried through with considerable opposition, and supported but weakly by those who had undertaken the management of it; and in such a way as to declare that the measures then pursued were none of theirs. The perfidy of the K. of Prussia, which defeated all schemes in Germany, and the late inglorious Campaign in Flanders, which occasioned much discontent at home, were laid to the charge of this Minister; as were likewise the slowness of the Dutch, and the caution of the D. of Arenberg. At this time when the nation had been industriously made to believe that the Minister had only in view to prolong the War, in order thoroughly to establish his Credit with his Master, it is not to be wondered at, that the Brothers thought proper to strike in with those they had so long treated with; and as chance had placed one of them at the head of the finances, you will not be surprized that his Majesty, circumstanced as the nation is at present, was obliged, tho' much agst his will, to agree to all the demands that were made—This however he could not do without showing an open & a strong resentment; and it is reported, that when Particulars have been mentioned to him, that he has said, *Do as you will; but, remember, you must answer for it to the* NATION. Though, I think the means made use of to bring about this late change have been rather too rough and harsh, yet I heartily wish that the whole may not suffer for it; and that the same measures may be followed abroad which have hitherto gained honour & reputation to this Country; in which providence seems remarkably to have favoured

favoured this nation. I might give, for instance, the news that came last night by Express, of the death of the Emperor on the 20th N. S.; by which as the League of Frankfort is dissolved, and Germans are once more at liberty to chuse a Master for themselves, unawed by the perfidious Arms of France and Prussia, it is to be hoped that the ballance of power will be recovered by restoring the imperial Crown to the house of Austria.

I ever am, most affectionately,
My dear Lord,
Your obliged and humble Servant,
A. M.

Lord President.

No. CCXL.

The same to the same.

My Lord, Whitehall, 29 Jan^ry^ 1744-5.

AS I gave your Lordship, in my last, some account of what has lately happened, I shall now inform you who were said to be the principal actors in that affair; and as your Lop is well acquainted with their characters and connexions, little more will be necessary than barely to name them. After the Brothers, the next in Dignity, as well as in Ability, is the Lord Chancellor, who, they say, spoke to his M. with great Zeal and Steadiness. The D. of Dorset, whose caution and submission have been remarkable on former occasions, yet was warm on this; and it was said that he had Ireland in view; but his prospect since the change is greatly lengthened. The D. of Richmond and Devonshire joined in the Cabal; and the Earl of Harrington was a necessary man, as the only person of this Sect that was qualified to take care of foreign Affairs; but it was said that he had taken care not to involve himself so far as to become obnoxious to his master. The managers for the Whig part of the opposition were, Lord Chesterfield, Cobham, Mr. Waller, & Mr. Pitt; and for the other, Lord Gower & Sir Watkin Williams Wynn. After the K. had parted with his minister, the claims of the different pretenders were with some difficulty settled in the space of four weeks; and the changes of which I formerly acquainted you were made in consequence of it; but you will easily believe, from considering the numbers, that the party are not yet satisfied; some have already expressed their disapprobation as warmly as others of the old party have their discontent, that any of the Tories should be taken in. Upon the whole, I believe, the Gentlemen who have come into place will have credit enough with their party to prevent any considerable opposition during this Session of Parl^t^; how much farther their influence may extend, I will not venture to guess. I was surprised to find my name in the Scots papers, that came by last post, for a place in Ireland, which is absolutely without foundation. There was indeed some weeks ago a report of my being named Secretary to the Lords Justices; for which as I knew of no Authority, I never was at the pains to trace it. I mention this because I know the share your Lop takes in any thing that concerns me; and that I desire nothing so much as your advice how to regulate my conduct, whatever may happen to me. You will excuse this freedom, and believe me, with sincere truth and affection,

Your obliged humble Servt,
AND. MITCHELL.

Lord President.

No. CCXLI.

No. CCXLI.

The Lord President to The Marquis of Lothian.

My Lord,

MR DOUGLAS having shewed me the last Letter he had from your Lordship, on the subject of the Records, I thought there was no time to deliberate, and therfor have wrote the enclosed Letter to My Lord Chancellor, which I have taken the liberty to transmit to your Lop to be delivered. I need hardly tell your Lop how heartily I wish you success in this undertaking; which must yield much satisfaction to your own Mind, and procure you the esteem and sincere thanks of your Country. I am, with very great respect,

My Lord,

Your Lordship's most obedient

Stonyhill, 9th March 1745. and most faithful humble Servant.

No. CCXLII.

The Lord Prefident to Lord Chancellor Hardwicke.

My Lord,

ON occasion of the Report made some years ago by the Court of Session to the House of Peers, touching the state of the Peerage of Scotland, I gave your Lop a melancholy account of the wretched condition in which our Records then were, and had the satisfaction to be assured by your Lordship that you would contribute your endeavours to have them put upon a better footing, when any proper opportunity offered. The accidents which brought them into their present unhappy condition were very cross and various; but what in part occasioned, and has now for many years continued, the Disorder and Confusion, was the neglect of the several persons, most of them Noble, who held the Office of Clerk Register. It was their business to have put, and to have keeped the Records in order, to have entered the Acts and Warrants into Rolls and Books, to have provided proper Repositories, to have provided against the injuries of damp air, and to have obtained and applied small sums from time to time for answering these purposes. But a series of negligent Lord Registers having succeeded one to another, the disease came day after day to be more deep and more dangerous; and the expence as well as trouble of the cure a disagreeable object to be thought of by the possessor of the Office; so that for some years past the disease has been considered as desperate, and no Lord Register until the present has ever troubled his head with thinking of a remedy. The Marquis of Lothian, who now holds that Office, has taken the misfortune to heart very near as much as if it had happened thro' his own fault. His Lop, after examining into the disorders, has caused make up estimates of the expence necessary for preserving what remains, for compleating the Books of Records, for Sorting and Inventorying packs and hogsheads of Papers, which for time past memory have remained unknown, because unseen, and in effect uncomeatable (pardon the expression); he has found out a proper place which may be made fit for lodging the Records at a moderate expence; and he has thought of a Gentleman qualified properly for executing the design, of putting in order and rescuing from imminent destruction papers of Private as well as of Public concern, in which the Subjects of this part of the Kingdom are interested on account of their private rights; not to speak of the gratification which the curiosity of the Public may receive. Now, as the Marquis has proceeded so far, and as the estimates

which he will shew to your Lop are (I hope your Lop will think) a mere trifle, when laid in the scale against the dishonour as well as the loss that must be sustained by the destruction of the Records, I flatter myself your Lordship will lend your advice, as well as your assistance, to the Noble Lord who is engaged in soliciting this matter, and thereby add a fresh obligation to the many which this Country already lyes under to your goodness.

It is, I am confident, needless for me to suggest to your Lop topicks to prevail with those who may boggle at the expence, tho' small; but I will venture to fling out one; which is, that besides the justice and expediency of the design, His Majesty can hardly be advised to do a thing more popular.

It is a particular happiness to me to believe that I need not make use of many words to persuade your Lop that I am, most faithfully,

Your Lop's most obedient and
most humble Servant,

Stonyhill, 9th March 1744-5. DUN. FORBES.

No. CCXLIII.

Letter from C[l] John Munro to the Lord President.

Account of the Battle of Fontenoy.

My Lord,

I THINK it my duty to acquaint you that your Son is in good Health, and suffered nothing but the loss of his horse, who was shot in our retreat. The Blues behaved weell, and rub'd off the Stain of Dettingen. Poor Charles Ross of Balnagown was shot with a musket ball through the belly, I believe early in the action; my Servants found him in a Ditch, and I sent him away to our head Quarters, where he died that night. General Sir James Campbell lost his leg, but is not yet dead; he was the first Officer that was wounded; and, I believe, Cap[n] Campbell of Carrick was the next; his head was carried off by a cannon ball at a quarter after six in the morning.

Now I'll give you a short description of the action, which I believe will be found to be the bloodiest, as to Officers, that happen'd to the British in the memory of Man. The particulars I cannot yet inform you with; but I'll take all possible pains to send you soon a particular account. A little after 4 in the morning the 30th April our cannon began to play, and the French batteries, with triple our weight of mettal and numbers too, answer'd us; about 5 the infantry was in march; we were in the centre of the right brigade; but by 6 we were ordered to cross the field, and attack (I mean our regiment; for the rest of the brigade did not march to attack) a little village on the left of the whole, called Fontenoy. As we pass'd the field, the French batteries play'd upon our front and right and left flanks; but to no purpose, for their batteries being upon rising ground, their balls flew over us, and hurt the second line. We were to support the Dutch, who in their usual way were very dilatory. We got within musket shot of their batteries, where we received 3 full fires of their batteries and small arms, which killed us 40 men and one ensign. Here we were obliged to skulk behind houses and hedges for about an hour and a half, waiting for the Dutch, who when they came up behaved but so and so. Our regiment being in some disorder, I wanted to draw them up in rear of the Dutch, which their General would scarce allow of; but at last I did it, and marched them again to the front. In

half

half an hour after, the Dutch gave way, and Sir Robert Munro thought proper we should retire; for we had then the whole batteries from the enemy's ground playing upon us, and 5000 foot ready to fall upon us. We retired; but before we had marched 50 yards we had orders to return to the attack; which we did; and in about 10 minutes after had orders to march directly, with all expedition, to assist the Hanoverians, who had got by this time well advanced upon the batteries upon the left. They behaved most gallantly and bravely; and had the Dutch taken example from them, we had supped in Tournay. The British behaved well; we the Highlanders were told by his Royal Highness, that we did our duty well. I cannot fail telling you, that the Duke shewed as much real courage and temper as ever Cæsar or Hannibal did. By two of the Clock we all retreated; and we were ordered to cover the retreat, as the only regiment that could be kept to their duty; and in this affair we lost 60 more; but the Duke made so friendly and favourable a speech to us, that if we had been ordered to attack their lines afresh, I dare say our poor fellows would have done it. The Scotch fuzileers are entirely destroyed; so that it was not possible to rally them. Duroure is mortally wounded; Gen[l] Ponsonby is killed, Co[l] Erskine lost an arm, Major Cotterill is in danger; Sandy Forbes, of Cope's, lost a leg. There was a much greater number of Officers * killed than private men; but the state of the whole will soon be sent you, and the situation of both armies. The French never appeared out of their trenches but once; and, to tell the truth, they made but a poor stand.

I am, my Lord, your obliged humble Servant,

From the Camp near Ath, JO. MUNRO.
2d May 1745.

Since writing, Gen[l] Campbell is carried by here in a cart, dead.

No. CCXLIV.

Capt. Hugh Forbes of the Oxford-blues, to the Lord President, inclosing a Letter from Lieut. John Forbes, describing the Battle of Fontenoy.

My Lord,

THIS morning I received the inclosed from Jock; and as it appears to be as distinct as any account I have yet had opportunity to see, I thought it would be no little Satisfaction to you to hear of his safety, with that of most of your Relations. I read it only to Leven, and the two Willies, because of the Caution adjected to it, and immediately clapt it under this Cover for your perusal.

My Lord, Your most obed[t] humble Serv[t].

Edin[r] 16th May 1745. HU. FORBES.

Dear Hugh,

DON'T be surprised I have not wrote you of late. My hurry has been beyond what almost any body could bear; and I am now the eighth night without seeing a bed. I suppose you'll have heard of our endeavour to raise the seige of Tournay, in which we failed. I won't ascribe the cause, altho' I know it; but sure never troops behaved with more intrepidity than the English; nor never has Troops suffered so much. In short, there was but one way of marching into the ground where we were to form our line, which was thro' the Village of Vezon. The opening could not allow above 14 or 20 abreast; and from thence to the French batteries a rising ground like a Glacis, and they at half cannon shot distance. General Campbell, with twelve squadrons, was

* No doubt, he means in proportion.

ordered thro' the Defilee first, as a Corps to cover the mouth of the opening, whilst the Infantry marched in; which, as they marched from the right, formed as soon as they went in; so one Regiment covered another, till they formed all the way to the left. You may believe this took up a great deal of time; in which the French batteries played incessantly on the 12 squadrons, and on the troops as they formed; but as it is impossible to describe a thing unless you had a Plan before you, I shall only say we formed with all the Regularity in the World, and marched up towards the enemy, who were all along upon the height with their different batteries; the whole length of which run a hollow way, that they had made a very good entrenchment. Off we beat them out of this hollow way, and gained the height, whence we had the first view of their bodys, at about 200 paces distance; an immense number of them, and numberless cannon still playing upon us. Here we dressed our lines, and began to march towards them; when, pop, they went into another entrenchment, extremely well provided and flanked with batteries of Cannon. Nevertheless, on we went, drove them from that, which was the first small shot we had any opportunity to make use of from the beginning, which was now near six hours. Upon the flanks of our Right wing there was the Village of Ribamcroix; and betwixt our right wing and the Dutch, there was the Village of Fontenoy, which the Dutch engaged to make themselves masters of early in the morning; but, not having rightly reconnoitered it, found, to their surprise, a fosse round it, and that the French by cutting the roofs of the houses and letting them fall in, had raised so many Cannon upon the Rubbish, as made the place impregnable. This galled our left wing and keept them from advancing, and cut off the communication with the right wing; the left of which, being much exposed, was terribly treated with the Cannon, which also raked us all along to the right flank. The Highlanders forced into the Village of Ribamcroix on the right; but the multiplicity of Cannon that played upon them made them retire. All the lines being now dress'd, altho, from the narrowness of the ground, we were in several places four or five lines one behind another, the front advanced again towards the enemy, had several discharges from all their Batteries; nevertheless marched forward, and got nigh enough to have a second discharge of their small arms, which made the French give way, but broke our lines, from the number of men killed both by the musketry and the batteries, that never ceased. Here we endeavoured to rally; but from an Order given (by whom God knows), the Drums began to beat a Retreat; upon which indeed the whole went to the right about, and retired with too much precipitation to the Village of Vezon. The Cavalry did the same; but as they were obliged to pass the Corner of the Wood, into which Grassin's Pandours, with pieces of Cannon loaded with grape shot, were thrown, almost every squadron had a Salvo as they passed. As we retired, the French cannon advanced to the height where they were first in the morning playing upon the rear till we all got thro' the Village of Vezon. Here Ld Crawford distinguished himself by getting some broken battalions and some Squadrons to front the enemy, and make the rear-guard, till the whole passed the Defilee.

The French remained where they were in the morning, and we rallied the Army at the head of our Camp, struck our tents that night, and marched early next morning to Ath.

This, My dear Hugh, is a rough Sketch not to be understood; but what I am now going to tell you must affect you, as I have lost the best friend, bravest soldier, and honestest man that ever breathed; by which I am most extremely miserable; and as I have these 16 years entirely attached myself to him, I now find myself not only without my friend, but without any patron to take me by the hand. The poor General commanded the advanced 12 Battalions, and of consequence had the fire of the whole French batteries on him; while the line formed behind him. A cannon-ball at last entered

his horse's left Counter, went through his body, and broke the General's right leg into a thousand pieces: it was immediately cut off, and I got him carried to a Village in the rear, where he continued pretty well till towards the evening, that the army was retiring; when his fever began to turn violent; it continued so all that night; but about 12 that night the French Pandours broke in upon his quarters, and carried me off prisoner to the French Camp. At my return next day, I found him with his senses, but speechless; he lived in a great struggle till the morning thereafter. I then got a Waggon and brought off his body here, where I interred it last night, attended only by his Son and Servts. Thus you will think me compleatly unhappy, and with great reason. We have lost the flower of our officers, and most of the Scots officers. I have no more time. I shall send you next post a list. The President's son and all our near friends are well. Shaw; Cathcart, Bob Douglass, Sir Alex. Cockburn, &c. killed. Cha. Ross, Ln Cathcart, Ld Ancram, and numberless more, wounded.

Brussels, 15th May N. S.

The Battle was the 11th, Dr Hugh, shew this only to particular friends, and give no copy of it to any.

Note.—This is, probably, as true an account as any yet published, and much more to be depended on than Voltaire's. The British did their duty; but some of the Allies did not.

No. CCXLV.

The Lord President to Mr. Pelham.

Dear Sir, 2nd Augt 1745.

IN a state of profound tranquillity, we have been alarmed with advices, which are said to have been received at London, of intended invasions; and particularly of a visit which the Pretender's eldest son is about to make to us, if he has not already made it. These informations, particularly as to the visit just mentioned, I must confess, have not hitherto gain'd my belief. This young gentleman's game seems at present to be very desperate in this country; and, so far as I can learn, there is not the least apparatus for his reception, even amongst the few highlanders who are suspected to be in his interest. However, as, when so much is at stake, no advice, how improbable soever, is to be neglected, I have (our session* being now over) resolved to make my accustomed journey northwards a little earlier than usual; to the end that, though my fighting days are over, I may give some countenance to the friends of the government, and prevent the seduction of the unwary, if there should be any truth in what is reported.

No. CCXLVI.

Mr Normand Mac Leod to the Lord President.

My Dearest Lord,

TO my no small surprise, it is certain that the Pretended Prince of Wales is come on the Coast of South Uist and Barra, and has since been hovering on parts of the Coast of the main Land that lies betwixt the point of Airdnamurchan and Glenelg; he has but one ship, of which he is aboard; she mounts about 16 or 18 Guns. He has about thirty Irish or French Officers with him, and one Sheridan, who is called his Governor. The Duke of Athol's brother is the only man of any sort of note (that

* Owing to the state of public affairs, the Court of Session, which rose 11th August, was by act of Parliament declared to stand adjourned from 1st Nov. 1745 (when it ought to have met) to 1st June 1746.

once belonged to this Country) that I can hear of that's alongst with him. His view, I need not tell you, was, to raise all the Highlands to assist him, &c. Sir Alex. Macdonald and I, not only gave no sort of Countenance to these people, but we used all the interest we had with our Neighbours, to follow the same prudent method; and I am persuaded we have done it with that success, that not one man of any consequence benorth the Grampians will give any sort of assistance to this mad rebellious attempt. How far you think we acted properly, I shall long to know; but this is certain, we did it as our duty and for the best; for in the present situation of Affairs in Europe, I should have been sorry to see any thing like disaffection to the Government appear, tho' ever so trivial; or that there was occasion to march a single Company to quell it, which now I hope and dare say there is not.

As it can be of no use to the Public to know whence you have this information, it is, I fancy, needless to mention either of us; but this we leave in your own breast, as you are a much better judge of what is or is not proper to be done. I've wrote to none other; and as our friendship and confidence in you is without reserve, so we doubt not of your supplying our defects properly. Sir Alex. is here, and has seen this scrawl.

Dunvegan, 3d Augt 1745. I ever am, most faithfully, Yours, NORMAND MAC LEOD.

The Ld President, &c.

P. S. Last night I had the pleasure of yours of the 25th. A thousand thanks for your advice; but I'm in good health by the very means you mention, moderate exercise, and regularity, without starving. Young Clanranold has been here with us, and has given us all possible assurances of his prudence, &c.

No. CCXLVII.

The Lord President to the Marquis of Tweedale.

My Lord,

HAVING been acquainted by the Lord Advocate and Sir John Cope with the Advices the Government has received from Abroad, concerning the Pretender's Eldest Son, who is said to have gone on board in some of the ports of France bound for Scotland, in order to attempt an Insurrection there; I have resolved to make my Journey to the North Country earlier this Season than usual; as my presence there may be of more Service to the public than it can be of here, should the Report, which I look upon as highly improbable, have any foundation in Truth.

I consider the Report as improbable, because I am confident that Young Man cannot with Reason expect to be joined by any considerable Force in the Highlands. Some loose lawless Men, of desperate Fortunes, may indeed resort to him; but I am persuaded that none of the Highland Gentlemen who have ought to lose will, after the Experience with which the Year 1715 furnish'd them, think proper to risque their Fortunes on an attempt which to them must appear desperate; especially as so many considerable Familys amongst themselves have lately uttered their sentiments; unless the undertaking is supported by an Arm'd Power from Abroad, or seconded by an Invasion on some other part of his Majestie's Dominions.

But as it is of consequence to France to create Confusion in Britain at any Expence, it behoves every Dutiful Subject to be attentive to such Reports, however improbable, and to leave nothing undone that might be fit to be done, in Case they should, contrary to Expectation, prove true: It is upon this principle, that I undertake the Journey,

on

on which I propose to set out tomorrow Morning; well knowing that my Years, the State of my Health, and many other Circumstances, will not permit me to be of the same Use that I was of 30 Years ago; but hopeful, at the same time, That by employing my Credit, small as it is, with the people of that Country, I may in some degree encourage the King's Faithful Subjects to persist in their Duty, and discourage the Doubtful from pursuing such dangerous measures as, being left to themselves, they might be in Hazard of falling into. Besides that, by being so near the Highlands, I may gain such Intelligence as, on the supposeall that the Report is altogether groundless, may dissipate the apprehensions that have been entertained of it, sooner than otherways would happen. I have now done with what I intended when I sat down to write; which was, to acquaint your Lop with my purpose of travelling Northwards, to the End that, if you had any Commands for me, you might know whither to address them. But as my hand is in, Your Lop will pardon me if I fling out a few hints which my former Experience suggests may deserve the Consideration of the Government, if there is any thing real in the Rumours that are spread.

First, tho' the Government has many more friends in the Highlands than it had in 1715, yet I do not know that there is at present any Lawful Authority that can call them forth to Action, even should occasion require it. In 1715, Lieutennancies were established in all the Counties. If any such thing now subsists, it is more than I know. 2ndly, In that unlucky Year, the King's Friends, tho' few, in the Highlands, were armed; whereas at present they are not; tho' the loose Banditti of that Country are; and there can be no doubt that, if any Enemy from abroad land, plenty of Arms will be brought alongst. What, from these Considerations, I submit is, whether it might not be proper to lodge a sufficient Number of Arms in the Forts in the Highlands; with Directions to whom, & by whom, they may be delivered out. And, 3dly, Want of Money in the Year 1715 was a great obstruction to the progress of those who Arm'd on the Side of the Government; and that Difficulty was got the better of by the Zeal of private Gentlemen, who out of their own Pockets advanced large Sums for the Public Service; but as due care was not then taken even to repay, far less to reward, the Gentlemen who made those advances, it is highly probable, that at present men will not be so ready to put their hands in their Pockets; and thereby occasions of doing essential Services may be lost. What I therefore submit is, whether it may not be fit at this Juncture to lodge with some proper person, or persons, Money or Credit sufficient to answer such Occasions, and to be accounted for.

If in presuming to offer these hints I have gone beyond my Line, I know you will impute it to it's true Cause, which is Zeal for his Majesty's Service; and that therefore you will forgive,

My Lord,

Edin^r, 8th Aug^t, 1745.

Your Lordship's most Obed^t and most humble Servt,
DUN. FORBES.

No. CCXLVIII.

Louis de Bouillone & the Prince de Campo Florida to the Young Pretender.

My Master,

THE Sincerity of the wishes which I have formed for your R. H. could never be equalled, but by the mortal Chagrin of not being able to follow you, to offer you all my Blood. The Attachment, & yet more the Respect I have for your person, &, if I dare name it, the tender & faithful friendship with which I am penetrated for you, engages

engages to this. In effect, Dr P., who would not feel all that I feel at the aspect of an Enterprize so worthy of Admiration, & of the august blood from which you are sprung.

On the Receipt of the charming letter with which you honoured me, I flew to the King, and on my knees, w^t Tears in my eyes, conjured him to sustain the Designs he knew to be so lawful. I painted to him the perils to which you was exposed. In fine, I said every thing that you might expect from the Sentiments that attacks [attaches] my Life to your Royal Highness. Judge then the Joy that the answer he made procured me, in assuring me that he had taken to heart, as much as it was possible for me, the project that you had formed; and that I might assure your R. H. that every thing you could possibly have occasion for was ready. I insisted w^t the Min^r to send the Troops immediately; but they answered, that it was absolutely necessary to have the News of your Arrival, before any thing should be made to part from here; and that your R. H. had but to ask what should be convenient and useful for your Designs, & they should be ready. Not knowing how to acquaint your R. H. with what they had done, I wrote it to Mr Obrain. I dare flatter myself, that you will not leave me long in this mortal inquietude, of the Ignorance of your Arrival; & that your R. H. will again permit me to assure you, that you may at your pleasure dispose of all my Estate and blood; & in whatsoever Service you design to employ me, you shall find fidelity & vivacity to serve. You w^t all my power, and the most profound Respect; w^t which I shall have the honour to be while I live,

My Master,

Given at Allost, 10th August 1745.

Your R. H.'s most H. & O. Servant,
LOUIS DE BOUILLONE.

No. CCXLIX.

My Master,

WHEN I received the Orders of my Court on the Subject of your R. H., I did not leave a moment to go and wait with this Court. His most C. Majesty did not hesitate to promise a prompt succour of Men, Money, and Arms; and ordered, that they should prepare the one and the other. I immediately dispatched a Courier to the King my Master; and I can assure your Highness that his Cath. Majesty has conformed himself to the Dispositions of the most C. King and his Navy; and that he shall furnish a Succour altogether equal to that of this Court. There are Determinations fix'd, on which Your R. H. may count. But this is not all; the most C. King added, that when he learned the Dispositions of your people were fortified by your presence, & that they had taken your Résolution, he would augment these first succours, by making some more Troops to pass to whatsomever place should be thought convenient to sustain them; & I have reason to believe, that the Brigade of Ireland is named for this Destination. The King my Master shall furnish the same number of Troops. I have the honour to inform your R. H. of this Disposition with a Satisfaction of heart so very lively, that nothing can add to it, but the Wishes I have for the happy success of so just an Enterprize. I pray your R. H. to receive this assurance, & also of the most profound Respect with which I have the Honour to be,

My Master,

Your R. H. most H. & most Obedient Servant,
LE PRINCE DI CAMPO FLORIDA.

P. S. We attend here, with the utmost impatience, the News of your R. H. Debarkment.

No. CCL.

No. CCL.

Sir Alexander Macdonald to the Lord President.

My Lord,

PROBABLY you'll have heard, before this reaches you, that some of our neighbours of the main land have been mad enough to arm and join the Young Adventurer mentioned in Mac Leod's letter to you. Your Lordship will find our Conduct with regard to this unhappy scrape such as you'd wish, and such as the friendship you have always shewed us will prompt to direct. Young Clanranold is deluded, notwithstanding his assurances to us lately; and, what is more astonishing, Lochiel's prudence has quite forsaken him. You know too much of Glengarry not to know that he'll easily be led to be of the Party; but, as far as I can learn, he has not yet been with them. Mr Mac Lean of Coll is here with his daughter, lately married to Tallisker; and he assures us of his own Wisdom; and, as he has mostly the direction of that Clan, promises as much as in him lies to prevent their being led astray. You may believe, my Lord, our spirits are in a good deal of agitation, and that we are much at a loss how to behave in so extraordinary an occurrence. That we will have no connection with these madmen is certain, but are bewildered in every other respect till we hear from you. Whenever these rash men meet with a check, 'tis more than probable they'll endeavour to retire to their islands: how we ought to behave in that event we expect to know from your Lordship. Their force, even in that case, must be very inconsiderable, to be repelled with Batons; and we have no other arms in any quantity. I pledge Mac Leod in writing for him and myself. I come now to tell you, what you surely know, that I am most faithfully,

My Lord,

Your most obed^{t} humble Servt,

ALEX^{R} MACDONALD.

Tallisker,
11th Augt 1745.

The Lord President.

No. CCLI.

Sir John Cope to the Officers of Lord Loudoun's Regiment, in Scotland.

By the Honble Sr Jno Cope, Kn^{t} of the Bath, Lieu^{t} Genl and Comm^{r} in Chief of all His Majesty's Forces in North Britain, &c.

FROM the great distance I am at, & from the present Emergency of Affairs, thinking it for his Maj^{ties} Service that some troops should be under the direction of some Person of great weight and Influence in the Country, and considering the great service done to the Government in the Year 1715 by the present Lord President, wherein his Lodp show'd his military Abilities, and has at all times distinguished himself by a Zealous attachment to the present Government: I have therefore thought proper to put that part of the Earl of Loudoun's highland Regim^{t} in the North of Scotland under his Command; whose direction you are to receive and follow.

Given at Edin^{r} this 14th day of August 1745.

JN^{o} COPE.

To all Officers belonging to the Earl of Loudoun's Regim^{t} in the North of Scotland.

No. CCLII.

No. CCLII.

Mr Normand Mac Leod to the Lord President.

My Dear Lord,

I GOT yours here, which is 18 miles from my House in the Road to Glenelg, where I go armless and alone to prevent any Mischief there from their close neighbourhood with Knodart; I mean, any of my people's being tempted with plenty of Money to go a volunteering. As to their being pillaged, it's what I take for granted. My dear Lord, I have all along wrote without reserve, which Sir Alex^r^ last letter (which you ought to have got the same day as yours was wrote) will evince; and all I have to add is, that what we wrote is true, and no more. He had but one Ship, a Privateer of 18 Guns, with about 1,600 bad Guns, and as many worse swords; about 25 Officers, mostly Irish, or of Irish Parents; and there is but one of them that ever was so high a rank as Lieu^t^ Colonel. I hear of no more that has as yet joined them. He sets up his standard Monday; and as I am pretty sure of information from thence you shall know it. The Place, Glenfinnon, which is the outlet from Moydart and Arisack to Lochaber. Except the D. of P——h get at them, I really do not see where they will find another man; for I know from Lovat his forwardness to serve the Government; and as to the M^c^Intoshs, M^c^Phersons, &c. &c. sure they are all quiet at least, if not well affected. In my weak opinion, it would be a very wrong step to draw many of the troops to Scotland, as there can be little Danger here; and that they give out there is a strong landing to come, either from Cadiz or Ferrol, to the south west of England, with 30,000 stand of arms to the discontented there, who are ready to take them. This may be only meant to put spirit in his adherents here; but if it is true, it's worth Notice, which the insurrection here hardly is yet. Sir Alex^r^ Macdonald and I can easily raise from 1,500 to 2,000 men for the King's Service if they are wanted; and I am sure we are willing; but then some of our ships would require to land that number of arms here; else 1,800 Staves, with about 200 Guns and Swords, would make but a foolish Figure. The Privateer is sailed away to the Northward; and it's true, she took 3 meal barks and ransomed them, and sent some of her Crew with the Ships where the young Chevalier was; they took as much of the Meal as they thought proper, and paid for it and dismissed them. I can think of nothing else just now; the place & paper agree. You will soon hear from me.

I am, with the outmost friendship and attachment,

My dearest Lord, ever yours,

Sconsar, Augt 17, 1745. NORMAND MAC LEOD.

There is surely no Scotsman of any note come over with him, but the Duke's brother, who is turned an old woman, if I can credit what I hear of my Cousin.

No. CCLIII.

The Marquis of Tweedale to the Lord President.

Whitehall, 17th August 1745.

My Lord,

I HAD the favor of your Letter of the 8th Curr^t^. Your resolution of going North earlier this Season than usual, meets with the Approbation of His Majesty's Servants here; and with mine in particular, as I am sensible that your presence there may in many

many events be extremely necessary and useful; and I shall not fail to acquaint His Majesty with the Motives that induced you to undertake that Journey at this juncture.

I own, I have never been alarmed with the Reports of the Pretender's Son's landing in Scotland. I consider it as a rash and desperate attempt, that can have no other consequence than the ruin of those concerned in it. However, in the present Situation, the smallest appearances ought not to be neglected; and I am hopeful that if Sir John Cope does speedily obey the Orders he has received, to put in execution the Plan concerted at Edinburgh with your Lordship and others of the King's Servants, we shall hear no more of that affair.

I am sensible of the want of a legal authority in the Highlands to call forth the King's friends to action, in case there should be occasion for them; but your Lordship will remember the difficulties that occurred about naming Lord Lieutenants of certain Counties at the Time of the last Invasion, which were the reasons that prevented any Nomination being made at that Time.

Arms are already ordered to Inverness, and a Credit is sent to Sir John Cope. When I mentioned the expediency of supplying your Lordship with money for procuring Intelligence, and other Services to the Government, Mr Pelham assured me, that whatever Sums you advanced he would certainly repay;* I hope, therefore, your Lordship will have no difficulty on this head.

I must desire your Lordship will from time to time acquaint me with what you hear in the Course of Intelligence; and I hope you will freely suggest whatever may occur to you, that you think will be of use for His Majesty's Service.

As there are few Officers of Rank in Scotland, His Majesty's Servants think of sending Major General Blakeney thither. He is an old Officer of service and experience. Yesterday afternoon we had Notice that Ostend had capitulated upon honorable Terms. General Chanclos, the Governor, made a brave defence; but the place was not tenable. The Yachts are already sailed, and we expect His Majesty very soon.

I am, with great regard and esteem,
My Lord,
Your Lordship's most obedient
And most humble Servant,
TWEEDDALE.

No. CCLIV.

The Lord Advocate to Lord Lovat.

My Lord, Edinburgh, 15th August 1745.

THO' I have not had the honor of any Epistolatory Correspondence with your Lordship for some time past, yet I think it my duty at this Juncture to trouble your Lordship with a Letter.

The Government hath certain intelligence, that a Sloop from France hath lately arrived upon the west Coast of Scotland, with certain Gentlemen, friends of the Pretender, on board; some of whom are landed in Scotland, and are stirring up a rising among the Clans.

I have not forgot your Lordship's services in the [year] 1715, your Zeal for the Government, and your power and influence in the Highlands; and whatever grounds of

* It is, however, certain, that the President ruined a large fortune in this Rebellion (independent of what his brother John expended in 1715), and was not rewarded or repaid.

 complaint

complaint you may have against particular persons, that they may have ungrateful memorys, yet I cannot doubt but that your Lordship retains the same spirit and regard to the public peace as in former times; especially that now you have so great a Stake in this Country.

I am sorry to be informed of your bad state of health; but I know you have a Son, who, conducted by your Councils, will be able to supply any defect that way.

The Duke of Argyle is expected in Town in a few days. I shall be very glad to be assisted with your information with respect to the State of the Highlands.

I have the honour to be with the greatest respect,
My Lord,
Your Lordship's most Obedient most humble Servant,
ROB^{t} CRAGIE.

No. CCLV.

Lord Lovat to the Lord Advocate.

My Lord,

I RECEIVED the honour of your most obliging and kind letter, for which I give your Lop a thousand thanks. Your Lop judges right when you believe that no hardship or ill usage that I meet with can alter or diminish my Zeal and Attachment for his Majestie's Person & Government. I am as ready this day (as far as I am able) to serve the King and Government as I was in the Year 1715, when I had the good fortune to serve the King in suppressing that great Rebellion more than any one of my rank in the Island of Britain. But my Clan & I have been so neglected these many Years past, that I have not twelve stand of arms in my Country, tho' I thank God I could bring twelve hundred good Men to the field for the King's Service, if I had arms and other Accoutrements for them. Therefore, my good Lord, I earnestly intreat, that, as you wish that I would do good Service to the Government on this critical occasion, you may order immediately a thousand stand of Arms to be delivered to me and my Clan at Inverness; and then your Lop shall see that I will exert myself for the King's Service. Altho' I am entirely infirm myself these three or four Months past, yet I have very pretty Gentlemen of my family that will lead my Clan wherever I bid them for the King's Service. And if we do not get these arms immediately, we will certainly be undone. For those Madmen, that are in Arms with the pretended Prince of Wales, threaten every day to burn and destroy my country, if we do not rise in Arms and join them; so that my people cry out horridly, that they have no Arms to defend themselves, nor no protection or support from the Government. So I earnestly intreat your Lop may consider seriously on this; for it will be an essential and singular loss to the Government, if any Clan and Kindred be destroyed who possess the centre of the Highlands of Scotland, and the Countrys most proper by their Situation to serve the King and Government.

As to my Son, my Lord, that you are so good as mention, he is very young, and just done with his Colledges at St Andrews, under the care of a Relation of yours, Mr Thomas Cragie, professor of Hebrew, who I truly think one of the prettiest and most complete Gentlemen that ever I conversed with in any Country; and I think myself most happy that my Son has been under his Tutory. He assures me, that he never saw a Youth that pleased him more than my eldest Son; he says he is a very good Scholar, and has the best genius for learning of any he has seen; and it is by Mr Thomas Cragie's positive advice, which he will tell you when you see him, that I send my Son immediately to Utrecht, and other places abroad, to complete his education. But

I have

I have many a one of my family now fitter to command than he is at his tender age; and I do assure your Lop that they will behave well, if they are supported as they ought from the Government. And I hope your Lop will procure that support for them.

I hear that Mad and unaccountable Gentleman has set up a standard at a place called Glenfinnon Monday last. This place is the inlet from Moydeart to Lochaber; and I hear of none that join'd him as yet, but the Camerons and the Macdonells; and they are in such a remote corner, that nobody can know their number, or what they are doing, except those that are with them.

I humbly beg to have the honour to hear from your Lordship in return to this. And I am, with all the esteem and respect imagineable,

My Good Lord,

Your Lordship's most obedient most humble Servant,

Beaufort, 23d Augst 1745. LOVAT.

No. CCLVI.

Lord Lovat to the Lord President.

My Dear Lord,

AFTER writing of my letter Yesterday, I conversed very seriously with the man I mentioned in my letter, who is a very sagacious, sly, cunning, intelligent man. As he professes great friendship for me, I examined him as narrowly as I could upon the affairs of the West; and he tells me, that they are not so desperate as we imagine. He says, that he does not believe that there are three Clans in the Highlands, but will send their Men to them, whether the Chiefs go or not. He told me, that Glengarry was to come back as last night from Athole, and that this day he was to rendezvous all his Men in order to march to the West: he says, that they expect succour from Spain and France every day.

I have but melancholy news to tell you, my Dear Lord, of my own Country; for I have a strong report that mad Foyers is either gone or preparing to go to the West; and I have the same report of poor Kilbokie; but I don't believe it. However, if I be able to ride in my Chariot the length of Inverness, I am resolved to go to Stratherrick next week, and endeavour to keep my people in order. I forgot to tell you, that the Man yesterday assured me, that they were resolved to burn and destroy all the Countries where the men would not join them, with Fire and Sword; which truly frights me much, and has made me think of the best Expedient I could imagine to preserve my people.

As I know that the Laird of Lochiel has always a very affectionate friendship for me as his relation, and a Man that did him singular Services; and as he is perfectly well acquainted with Gortuleg, I endeavoured all I could to persuade Tam to go there, and that he should endeavour in my Name to engage Lochiel to protect my Country; in which I think I would succeed; but I cannot persuade Gortuleg to go; he is so nice with his point of honour, that he thinks his going would bring upon him the Character of a Spy, and that he swears he would not have for the Creation. I used all the arguments that I was capable of, and told him plainly, that it was the greatest service he could do to me and to my Country, as I knew he could bring me a full account of their situation; and that is the only effectual mean that I can think of, to keep the Stratherrick Men and the rest of my people at Home. And I am persuaded, that Lochiel would use all the interest he has to preserve my Country. He told me at last, he would take

some days to consider of it, untill he comes out of Stratherrick; but I am afraid that will be too late. I own I was not well pleased with him, and we parted in a cooler manner than we used to do. Since writing what is above, I have got three or four Gazettes from good hands from the West; they assure me, that the Highland Army and their Pretended Prince were last night at Laggan Auchadroum, and that they will march this day to Aberchalder. Your friend the Old Chisholm told this to Culcairn this day, as he was cominge to dine with me; and I had it from others. What turn they will take afterwards, is what is not yet made public; but some think they will march over Corry Yearack, which I wish with all my heart they may do, that we might be fairly rid of them. Others say, that they will come down thro' Stratherrick, and destroy it, if they don't rise; and others, through Urquhart, to go to Ross. And it's my opinion, they don't yet know themselves what to do, or what they are doing. Do not think, my dear Lord, that I am glad when I tell you that some of your favorites the Mackenzies are gone to join the Pretended Prince. I spoke to two Men that saw them pass by yesterday at the head of my Country, and spoke to them; and your favorite, that spoke to Culcairn this day, will send his Men to join them, whether he go himself or not. You may depend on it, that Glenmoriston & the Urquhart people will likewise join in a day or two; so that my people are the only left in the Lurch; but I am very easy; for I have your Lop's word, that neither I nor my people will lose any thing, but that Government will make up our loss effectually. I will send an express tomorrow Morning to Gortuleg, and intreat of him, as he loves me, if he sees these Mad people coming to go & meet them, and expostulate with the Laird of Lochiel not to hurt my Country, but to preserve it from being destroyed: otherwise, that he may assure himself that I will make Reprisals, tho' I honour much the Lady Lochiel, and that she is my Cousin German. I know Gortuleg has a vast regard for your opinion in any thing. I therefore humbly beg, My dear Lord, that you may write him two lines inclosed to me, & desire him to go and meet Lochiel and endeavour to persuade him to preserve my Country; and I truly think it will have a good effect every way. I shall eternally remain, with Zeal and Esteem,

My Dr Lord,

Your Lordship's most attach'd Cousin and faithful Slave,

Beaufort, 24th Augst 1745. LOVAT.

P. S. I am glad now to assure your Lordship, that honest Kilbokie has not stirr'd, and will do nothing without my consent; and I hope it's the same thing with the Stratherrick Men. I can now assure your Lop by people from that Country, that none of my people of Stratherrick or Abertaif, are stirr'd; this gives me great joy; and I have just now got a letter from Sandy Culduthel's Brother, confirming all that I have said, and that the Highland Army were last night at Mockomire, and only this night to be at Laggan Auchadroum; that they were yesterday 3,000 strong. He assures me that no Men out of Appin, Glenco, Stralachan, Glengarry, Knodart, or Glenmoriston, had yet joined them. My Dear Lord, you know that you engaged to me in honour never to give me as author for any Intelligence or Information that I give you; and I am persuaded that you will keep your word; for if you do not, the next thing you must do is to cut my throat; for of all things in the world, I hate to be called an Informer. I beg you may excuse the errors & blunders of this letter; for I never was in a worse state of health than since I began to write it.

No. CCLVII.

The Lord President to Lord Lovat, Sunday 25th August, 12 o'Clock.

My Lord,

THIS moment I have received yours of last night's date. I am very glad to hear that your mind is easy on the subject of Foyers and Culbochie. I always thought that the affection of your people would preserve them from folly, especially when your interest so essentially requires prudence in them. Your directions to G * * * * * * * were very right, and I am surprised he bogles at them; since the execution of them is, in my opinion, consistent with the strictest honour. A letter from me, advising what you directed, might (your Lop will on reflexion see) be improper; but it is farther surely unnecessary, because I, at Inverness, and at Culloden, delivered him by word of mouth the same opinion in the strongest terms, and I hope he will pursue it. I have no notice, that Lochiel, or any of the Gentlemen who know this Country, will think it advisable to exasperate Men who, being pushed too far, must, in self-defence, prove the instruments of their ruin. Suppose they should force individuals of a kindred to go alongst with them against the interest & inclinations of their Chiefs, must not they depend on it, that those will take the first opportunity to leave them. They cannot, at least they ought not to forget the desertion of your people from Perth in the year 1715; and therefor I imagine they must desist from such barbarous policy; but if they should unjudiciously do otherways I see nothing your people have to do, but that the Gentlemen should get the cleverest of the young fellows together, in the best trim they can, keep together, and avoid them if they are too many, & reserve themselves for your further service; trusting, that if, on no resentment, any dammage shall be done, it will be made good by the Government in whose service it was sustained. Should the Gentlemen who are now in Arms know this to be your disposition, I imagine they would think twice before they provoked you; for they must conclude, that the least Horse-play on their part would naturally dissolve any expectations which they might idly have entertained, concerning the conduct of some of their friends, and force them with a vengeance into the other side. What you have heard concerning the Kinsmen of those whom you call my favorites may possibly be the case; but if it is so, they lie impudently, and must soon feel the bad effects of it; but I incline to think, at present, you have been misinformed. I have considered your answer to the Advocate's letter, which is a very good one. As to what you have the goodness to communicate to me, rely on it, it is dead and buryed, and shall never rise again, unless it may rise at a proper time to do you service. This cursed weather has keeped me from the Kirk; and fearing it might play you also a trick, I dispatched the Doctor this morning to see how you did. Send him back as soon as you can, for I feel myself pretty much out of order. I rely on hearing from you dayly. I am most certainly yours, &c.

No. CCLVIII.

The Lord President to Lord Fortrose, 26 August, 6 at night.

My Lord,

SINCE noon I have received letters from Sir John Cope by Express, who was last Saturday's night at Trinifuir, & was to march next morning with a considerable body of Foot, Drags, and Artillery, to find out the unhappy people that have put themselves

in Arms. His force is so great, that I should hope they will not be indiscreet enough to wait for them. As your Lordship has had your people with you to-day, or at least are to have them with you to-morrow, I run you this Express to suggest to you the fittness of haveing such a body of your People together, as you can assemble on the sudden; the best Arm'd you can, to be disposed of as Sir John, when he comes, shall, by the Advice of the King's friends in this Country, direct. You can figure to yourself no * good reasons for what I propose; so that it is unnecessary for me to detain the Messenger by putting any of them in writeing. My Compliments to the Ladies, &c.

No. CCLIX.

The Lord President to Lord Lovat, 26 August, 6 at night.

My Lord,

THIS afternoon I had ane Express from Sir John Cope from Trinifuir, where he lay the 24th with his Army encamp'd. He was to set out the next morning to find out the unhappy Gentlemen who are in Arms, with a force which, if they are wise, they will not think fit to look in the face. What you have to do on this occasion, according to my apprehension, is, to give directions, that all your people be in readiness, with the best acoutrements they are masters of, to conform to such directions as, when he arrives, he, with the Advice of the King's friends in this Country, will give. I should think it impossible, that your zeal upon this occasion should not be of service to yourself & to your family. I need say no more to one to whom I have lately said so much on this subject. Let me hear from you as soon as possible.

I am, &c.

No. CCLX.

Lord Lovat to the Lord President.

My Dear Lord,

I WAS so very bad all day yesterday and last night, that I did not expect to see the light of this day; so that it was this morning before I had the honour of your letter put into my hand; and I am glad to find, that tho' I be tormented to death with boils on my body, which makes me feverish and most uneasy, yet that your Lop is in perfect health, which I wish the Continuance of; as should all those that love their Country do, being more useful and valuable to the Commonwealth than a thousand like mine.

Since Sir John Cope has such a powerful Army, I hope our desperate Countrymen will avoid to see him; but if they are so mad as to fight, that unfortunate Prince must fall with the bravest of his adherents most foolishly. I own, I must regrate my dear Cousin Locheil, who, contrary to his promise to me, engaged in this mad enterprize; but if Sir John Cope is beat (which I think next to impossible), this desperate Prince will be the Occasion of much bloodshed, which I pray God may avert; for to have bloodshed in our bowels is a horrible thing to any man that loves Scotland, or has a good stake in it, as your Lop and I have. Therefore, I pray God that we may not have a Civil War in Scotland: this has been my constant wish since ever I had the

* Sic in Orig.

use

use of my reason; and it shall be the same while there is breath in me; so that they must be damnably ignorant of the principle of my heart and soul, who can imagine that I would endeavour to promote a Civil War in my Country.

I do assure you, my dear Lord, that if the King had taken away my house and a part of my estate without any just ground, as he did my Company, that I would go and live, tho' most miserable, in any Country on earth, rather than make a Civil War in my own Country. I hope this will convince your Lop that I have always been a declared enemy against this mad project. Now, my dear Lord, as to what you desire me, of acquainting all my people to be in readiness, I do assure you that I did so immediately after coming from Inverness; but, to obey your commands, I have sent my Officers this Day with orders to them to be ready when I should call for them; and I ordered them to make short Coats and hose, and to put aside their long coats, and to get as many swords and dirks as they could find out. As to the article of arms, it's needless to talk of it; for my men have no arms, and I never will present them to King or Gen' without arms. And your Lop may remember, that when you spoke to me of that article at Inverness, you said at last, that I could not shew my men without arms, and without sufficient orders from the Government; to which opinion I told your Lop I would adhere.

And as to my zeal for the Government, I can assure your Lordship that I have as much as any Lord or laird in Scotland except your Lop, whose constant, uncommon, and fiery zeal for this Government, to my certain knowledge, is, and has always been, without example. But I hope, my Lord, since you have this day the same power over your old Corporal that you had in the year 1715, you will make my Court to Sir John Cope. If I be able to step into my Chariot, I will pay my duty to him at Inverness or Culloden, and will beg of your Lop to introduce me to him.

After writing the above, I had an Express from Gortuleg. I think Tam More seems to be a little frighted. I will write a strong letter to him tomorrow, to be shewn to my Strathherick and Abertarf people. But, my dear Lord, I am in a very terrible situation; my Country threatened to be destroyed; and they have neither Support nor Arms to defend themselves; and they see all the Clans about them save themselves by sending some men to the Highland Camp, and they only left a sacrifice; but as it is you that has engaged me to make an appearance for the Government at this time (to which I had not an immediate Call, having neither Post nor Employment from the Government, and not having been well used, as your Lop knows), I trust entirely to your true friendship and generosity, that you will, in the first place, obtain arms for my people to defend themselves; and in the second place, that you will obtain for myself what encouragement your Lop thinks I deserve, or may deserve, from the Government. I can say without vanity, that if I was so mad as to be on the other side, the highlanders would have a much greater number than they have by this time; and might, with such a desperate bold Prince as they have at their head, become more troublesome to the Government than in the year 1715.

I refer all this to your Lop's generous Consideration; and I beg that you may forgive any Blunders that I may have writ in this letter; for the pain in my body, and the troublesome situation of my Country, have almost turned my head; but whatever situation I am in, I shall always remain

Your Lop's most faithful Slave
and affectionate Cousin,
LOVAT.

Beaufort, 27th Aug' 1745.

No. CCLXI.

No. CCLXI.

The Lord President to Lord Lovat.

My Lord, 28 August, 6 at night.

THIS Moment I received ane Express from Sir J. Cope from Ruthven. He has not pass'd the Corryyarig; not from any apprehension of opposition, but from suspition the Highlanders might give him the slip, & march southwards; where by the by they must be sadly handled; for 5 Batⁿˢ of the Garison that was lately at Ostend are ship'd off for Leith. What he now expects is, that the Chiefs in the Highlands who are affectionate to this Goverⁿ will immediately exert themselves, & show such a countenance as shall prevent further folly & sufferings. The Laird of Grant has made him a large offer, which he has accepted of; & I should be very sorry if any one outdid your Loꝑ in Zeal. What I therefor submit to you is, whether you ought not immediately to Arm as many people as you can in Stratherick & the Aird, and order them furthwith to assemble, & be disposed of as shall be most fit for the service. Whilst your Orders are executing, I wish you would send the Master down hither to me; giveing him, at the same time, such Authority as you shall think fit. Arms are order'd from Edr to Inˢ, & more are order'd from the Tower. I am in heast, & expect your return speedily. I am heartily your friend and well wisher.

No. CCLXII.

Mr Thomas Fraser of Gortuleg to the Lord President.

My Lord, Gortuleg, 29th Augt 1745.

I WROTE to Lord Lovat yesterday Morning from this place; wherein I told his Lordship, that I had occasion to see Lochiel, and some others of that Army, Tuesday, when they lay near Fort Augustus; and gave a true Account of their Number, which still is not above 2,000; and I recommended to Lord Lovat to let your Lordship know this, and what I then judged was their resolution.

This morning I am informed, that yesterday they set out early from Aberchalder, and came, before Seven in the Morning, to a place called Lagganvane, four Miles from Fort Augustus, and at the foot of Coriyarack; that then they were assured of Sir John Cope's marching by Ruthven to Inverness. That immediately they called a Council of war; and the resolution taken was, to pursue General Cope with all Expedition; that their whole Army was at Garviemore about 12 o'Clock; & that they were resolved to march by Night & by Day until they came up with their Enemy. I am assured, that their young forward Leader *called for his Highland Cloaths; and that, at tying the lachets of his shoes; he solemnly declared, that he would be up with Mr. Cope before they were unloosed.* If this information holds true, they must certainly have a brush this day. The people are in top Spirits, and make sure of Victory in case they meet. Should that happen, I can assure your Lordship, that they will be troublesome Neighbours for some time; for they know their Situation, and they are desperate. I am plagued & fatigued by keeping some idle lightheaded people here in Order; and I do assure your Lordship, that if the Highland Army remained any time

time in our Neighbourhood, that even the Lord Lovat could not get some of them commanded.

I have the honour to be, with all regard,
My Lord,
Your Lordship's most faithful and obed^{t} Servant,
THO: FRASER.

P. S. The Bearer is a very honest pretty fellow in whom I have intire confidence.

Strength of Rebell Army.
A True Account of the Numbers of the Highland Army Tuesday, 27th Augst 1745.

Lochiel - - - - - - -	700
Clanranald, having Men of his Islanders - - -	250
The Stewarts of Appin, commanded by Ardsheal -	220
Keappoch - - - - - -	260
Glengarry's Men, including Knoidart, Glenco, and Glenmorriston -	600
	2,030

No. CCLXIII.

The Lord President to the Lady Clunie.

Dr Madam, Culloden, 31 August 1745.

YOU may be sure I am extremely mortify'd by Clunie's misfortune.* What endangers the hurting of his Character must touch sensibly the honour of the Man who, in the warmest manner, recommended him, & undertook absolutely to answer for him. I am, for my own part, satisfy'd that what happened was the effect of pure inadvertence on his part, & confidence, that some, whose friendship he had reason to trust to, would not have served him in the manner in which they have done; & I hope no perswasion will prevail with him, now he is in their hands, to swerve from the engagements he has lately come under. It will be unhappy indeed if any number of his Kinsmen join with those who have used him so ill; for that will justifie ane opinion, which I am confident is utterly false, that he was consenting to what has happened. I flatter myself with expectations, that when he has got to some distance his confinement will not be so strict, so that he may find means to make his escape; & I should not think it amiss if such ane advice was privately whisper'd to him by some confident person; but as to that, your Ladyship will use your own discretion. I do assure you, Madam, that as I am concern'd for him, I feel extremely for you, & sincerely wish it in my power to give you any relief. Whatever occasion accidents shall offer for that end, shall readyly be made use of by, Madam, Your Ladyship's most ob^{t} & most humble Servt &c.

No. CCLXIV.

Mem. concerning the Rebellion in Scotland.

[Apparently addressed by Lord Stair to the Ministry.]

Sr JOHN COPE, by marching towards Inverness from Dalwhiney, where he was Master of both the branches of the made Road, one of wch goes to Inverness the other to

* He had been made prisoner by the Rebels.

Fort Augustus, has given an opportunity to the Rebels, wch they have taken, of marching towards Blair; by wch means it is apprehended that the Rebels may make themselves Masters of Edinburgh, &^c before Sr John Cope can return to oppose them. The question is, what is proper to be done in this case?

It is humbly proposed in the first place, to grant a number of blank Commissions, to be distributed among the well-affected Clanns, as the Lord President of the Session, &^c shall think proper. Such a number of highlanders, being formed into regular Companies, will be in a condition not only to hinder more Men to be raised for the Pretender's service, but a part of them may go and live at discretion in the Countrys which the Rebels have left; or, if it shall be thought necessary, either the whole or any part of them may march into the South Country, according to the orders they shall receive.

In the next place, it is proposed, that the Magistrates of Ed^r shall be authorised, according to their own desire, to raise a thousand Men for the defence of the City, in conjunction with the regular troops. It is to be observed, that the City of Ed^r is surrounded with a good old Wall, wch cannot be forced, but with Cannon; & it is reasonable to suppose, that it cannot be surprised when guarded by such a number of Men. There is already there one compleat Reg^t of Dragoons.

It is next to be consider'd, that by taking proper precautions it may be render'd very difficult for the Rebels to pass the Forth. The natural precautions to be taken are, in the first place, to bring all the Passage-boats to the South side of the river; & then to post at proper places such Sloops of War as may happen to be in the Firth, with a number of other Ships, with Cannon & Soldiers aboard each of them. By these means, the passage of the Firth will be render'd more difficult, & must necessarily consume a good deal of time.

If the Rebels should pass, they must consume some time in their march to Edinburgh, and in making the necessary dispositions for attacking it. Such necessary delays will probably give Sr John Cope time to arrive before the Rebels can make themselves Masters of Edinburgh; as Sir John Cope's march will at all times be free & uninterrupted, he being master of Stirling Bridge.

But supposing that Sr John Cope should not arrive in time, & that the Rebels should be Masters of Ed^r, & march into England before his arrival, & even supposing that the highlanders should be joined by an Invasion from France, it will be proper to consider what force there is in England to resist the Enemy in that case.

There are now in England four Battall. of Guards; four other Battall.; besides three to be formed of the additional Companies. There are now actually embarked at Williamstadt five Batt^las of Dutch Troops, of wch one is to go to Scotland; the four wch come into England are to be instantly followed by three more Battallions. With these seven Batt: of Dutch added to eleven British, with two Reg^ts of Horse & three of Dragoons, Ld Stair thinks he can answer for the quelling of this Rebellion.

If it should be thought expedient to make use of any other helps, such as raising a number of Batt. in the north of Ireland, or in indulging any of the considerable people in G. B. well affected to the Governm^t to raise Regiments, it is certain that such precautions will not be useless, nor the money ill employed; for next Spring there will be opportunity to make use of those forces against France, in such a manner as may be both honorable and advantageous to G. B. & very hurtful to France. Ld Stair [considered] it was his duty to lay his thoughts before His Majesty in this Memorial, wch may give his Majesty an opportunity to examine the several facts contain^d in it thoroughly, & at leisure. If it should happen, that any of the facts, or the reasoning upon them, should be disputed, it is humbly desired, for His Majesty's further information,

mation, such objections may be put in writing, wch is certainly the best method & shortest to come at the knowledge of the truth.

Since the delivery of this Mem. it has been resolved to send over for ten Battall. of the Brit. Troops of the Army commanded by the Duke of Cumberland, wch has been done accordingly.

August 1745.

No. CCLXV.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 4 September 1745.

I WROTE to your Lordship on the 24th of August, which I hope you received. Last night I had an Express from Edinburgh, which brought us intelligence, that the Rebells had passed Sir John Cope, and were to be on the 30th at Dalnacairdick. This account, you will easily judge, has not a little surprised us; since, it is to be feared, the Rebells may make a considerable progress in the low Countries before Sir John Cope can overtake them.

The Earl of Stair has proposed, that a number of blank Commissions be sent down to be distributed among the well-affected Clans, as your Lordship shall think proper. This I heartily seconded; as I know your Lordship will make a right use of this mark of his Majesty's confidence. Such a number of Highlanders being joined into regular Companies will not only prevent more men from rising for the Pretender's Service, but a part of them may go and live at discretion in the Country which the Rebells leave; or, if it shall be thought more necessary, either the whole or any part of them may march into the South Country with Sir John Cope, according to the orders they shall receive.

This proposal His Majesty has agreed to, and accordingly a number of blank commissions are sent down by this Express, which will be forwarded to your Lordship without loss of time.

In my Letter of the 17 Augt I acquainted you, that Mr Pelham had assured me, that whatever Sums of Money you should advance at this juncture, for the Service of the Government, should be punctually repaid. I am likewise to inform you, that Sir John Cope has a credit to answer the exigencies of the Government.

I shall long much till I hear good Accounts from you. In the mean time, be assured that I am, with great truth and esteem,

My Lord,
Your Lordship's most Obed^t
humble Servant,
TWEEDDALE.

No. CCLXVI.

Sir Andrew Mitchell to the Lord President.

Whitehall, 5th Septr 1745.
2 o'clock afternoon.

My Lord,

IT is with most sincere Joy that I write you this; as this Letter will be accompanied with the most honourable mark of trust and confidence that His Majesty can bestow. It has been thought proper, at this juncture, to raise twenty independent Companies in the Highlands; and your Lop is the person pitched upon to choose the Officers. Your Zeal for his Majesty's Service, at a time when Zeal is no epidemick,

and your integrity and justice, are so well known, that every body thinks the choice is not the effect of favour, but of judgment. I can easily conceive what use would have been made of such powers, had they been granted to some people; private interest wou'd have been strengthened & extended; private resentment glutted with insolent revenge; and both at the expence of his Majestie's Service; but your Lop can never act from such motives; and the noble opportunity that is now put into your hands will make your impartiality and forgetfulness of injuries as conspicuous to your Country, as your love of Justice has been. Your Lordsp will forgive me if I mention one thing more; which is, that, as this trust is very great, your enemies, for such you have, will if possible endeavour to find fault; and tho' I am convinced that no Commission will be given by you, but to such Persons as are well affected, and capable of being of immediate service to the Government, I think you should pay Sir John Cope the Compliment to acquaint him that you have received such Commissions; and even to seem to advise with him; for as he can know nothing of the state of the Highlands, he will certainly yield to you in every thing. Your Lordship's judgment, and the State of Affairs in Scotland, will be the best guide to direct how far the Commissions are to be made use of at all, or what part of them may be proper to give out. There are twenty blank Commissions for Captains, Lieu^{ts}, & Ensigns, of Independent Companies, which the Lord Advocate has directions to forward to you as speedily and safely as possible. We have not heard from Sir John Cope since the 22^{d} Aug^{t}; and a letter from the D. of Athol, of the 30th Aug^{t}, has greatly alarmed People here; more indeed, I think, than there was reason for; but it is the fashion to fear, or at least to seem to be affraid. I long to hear from your Lop. Your behaviour on this occasion, and the part you are now acting, meets with the universal applause of every Whig Subject his Majesty has, a very few excepted. I write this in great hurry, and you'll excuse blunders. It is the language of my heart.

I am most affectionately,
My Dear Lord, Your
AND^{w} MITCHELL.

No. CCLXVII.

Sir John Cope to the Lord President.

Aberdeen, 12th Sepr 1745.

THE Information given by the two Gentlemen arrived this Day from Angus is in Substance as follows, viz.

That they were informed in that Country, that the Young Chevalier had at most not above 4000 Men at Perth last week; the greatest part Highlanders; that many of them had no fire-arms, & were otherwise very ill armed.

That the Duke of Perth had join'd him with his people, most of whom he had forced to follow him; that the (D: of P:) had killed one Man, & wounded one or two more, who had refused to go.

That Lord George Murray had likewise join'd the Chevalier with about 1000 Athol Men, & that he had left about 500 at Blair of Athol, and Dunkeld; at which last place the Marquis of Tellibarden lay sick.

That the Highlanders, on their coming down, had demanded payment of the Excise at Cowpar of Angus; & that they had taken a small sum from some of the Officers of the Revenue in that place.

That about 200 of them entered Dundee on Saturday last, & left it again on Monday, carrying off with them some Ships Guns, some pewter & Lead for Musquet Balls,

Balls, & some small quantity of Powder. But that the Magistrates had shipp'd off some small Arms on Board the Custom house Yacht, who had got out of the River a few hours before the Highlanders came to Town.

That it was confidently reported, that Lord Ogilvie had been in the Chevalier's Camp, & that he intended to have join'd him with his Father's people, having provided some Ammunition, as supposed, for that purpose; but that he seems now to have laid aside that Intention, & even denies he ever had it. The Copys of two letters, said to have been wrote by the Spanish Ambassador & the Duke de Bouillone, to the young Chevalier *, were deliver'd to the General.

That the Highland Army were in Perth on Tuesday last at 10 of the Clock; that it was talk'd there, that they were to move; and there was a Rumour of their demanding £500. A letter, dated the 9th Curr^{t}, Montrose, says, a Perth Man informed the Author that the Louis D'ors pass'd at 17th; but that soon after it was ordered by the young Chevalier, that they should pass at 21^{sh}; and that some persons were obliged to take Bills, instead of cash, for payment of work done for them.

Another Information says, they were making Targets at Perth, & that they got about 2 dozen Lochaber Axes out of the Town of Perth. The Duke of Perth Sick at Crief. The Pretender's Son is in a fine Highland Dress laced with Gold; wears a Bonnet laced; wears a Broad Sword; had a Green Ribband, but did not see the Star; a well made Man, taller than any in his Company. Collected £22 at Cowpar in Angus. The talk was, they wanted to take the Army before join'd with the Dragoons. They intended to attack us upon the Corryarick. They talk'd of the Landing of Earl Marshall. Had 15 or 16 Boats on the South Side of the Tay; on which they keep constant Guards. It was said in Perth, the Duke of Perth had killed two people that refused to rise. This Informer left Perth Tuesday, the 10th, at four in the Afternoon.

&c.

No. CCLXVIII.

The Lord President to Lord Lovat.

My Lord, 19 Septr 1745.

THE moment I received Authority to dispose of the Commissions for some Independent Comp^{ys}, you may be sure your Lop came into my eye; & tho I had been forgetfull, the care of your good freind my Lord Stair would not have permitted it to have been long so; for a Note from his Lop, which came just after to me, made kind mention of your Lop, & pointed at your 2^{d} Son; as your Eldest was destined to another course of Life. I should have wrote to your Lop then on the subject, but that Mac Leod was going to you, & I charged him with mentioning it; but finding that he has not brought me, as I expected, your Lop's resolutions, & being under a necessity of reporting soon what I have done, or am a doing, I am obliged to give your Lop the trouble of this, to beg to know how you like the proposall; & if you do, to have a List from you of the persons names to whom you would have the Commissions for Cap^{tn}, Lieu^{t}, and Ensign given. My labour for the best part of 30 Years is lost, if I need to employ many words to convince you that I wish your family heartily well. I have heard no news but from Ab^{d}, that Sir J. Cope, who weigh'd Sunday night, had a fair wind all Monday, which was supposed there to have brought him safe into Leith road. As to the reports that are coin'd & spread to animate either party, they make no impres-

* See pp. 205, 206.

sion

sion on me, no more than they ought to make on any wise man. One of them, however, I will mention, from a Letter of the Lyon's, who came home last night from his expedition to Ab^{d}; which will shew your Lop how senseless & impertinent their tales, with which they attempt to keep up spirits, are: He says, that in his way home he was assured by Ladies, who had it from J. Hamilton in StrathBogie, that your Lop's Strathherick Men were immediately to join Glenbucket; & that, as your own health was bad, & the Master of Lovat but Young, you had sent for your cousin Inveralachie to command these, & to raise your other Men. If such silly storys pass upon any body, it must be upon those who do not know what you have done for the present Gov^{t}, & the value you have for your honour, & for the Estate of Lovat. As to Inveralachie's part of it, tho' I am not personally well known to that Gentleman, yet the Character of prudence & discretion which I have had of him from Sir Arthur Forbes, Lord Strechin, & severall others of his freinds, satisfy me that he is not giddy enough to enter into the views which Mr. Hamilton might present him with; so that, from this ridiculous instance, one may easyly see what stress is to be laid now-a-days on private history, & on reports.

I am, my Lord,
Very heartily your's, &c.

No. CCLXIX.

The Duke of Newcastle to Matthew Ridley, Esq. Mayor of Newcastle.

Sir, Whitehall, Septr 25th, 1745.

I DISPATCHED an Express to you on Monday night with an answer to your letter of the 20th Inst. I received yesterday morning the melancholy account of the defeat of His Majesty's forces by the Rebels in Scotland*; and some hours after, I was favoured with your letter of the 22^{d} inst. and laid it immediately before the King. His Majesty saw with the greatest satisfaction the spirit of Loyalty and Zeal which animates his faithful subjects in Newcastle and in the County of Northumberland to exert themselves in the support of His Majesty's Government, and for the preservation of our happy Constitution; and I am commanded by His Majesty to desire that you would return his thanks to the Gentlemen who have thus distinguished themselves on this Occasion.

I have already answered that part of your letter in which you desire to have an officer of Note sent down to you. Major General Huske, whom his Majesty has appointed for that Service, and whose Character I am persuaded you are not unacquainted with, set out last night for Newcastle; and as he proposed to make great expedition, he will probably be with you soon after you have received this letter.

As the two Dutch Regiments, which I acquainted you in my last were ordered to proceed by sea to Newcastle, were detained in the River by contrary winds, it has been thought proper, upon the news of the action in Scotland, in order not to divide the force which is immediately to march against the Rebels, that they should be disembarked and be added to that Corps. Marshall Wade has received his Majesty's Orders to take upon him the Command of those troops; part of them are already marched, and the whole will make up a very considerable army, and will be provided with a large Train of Artillery of all sorts, and march immediately to whatever place Marshall Wade

* In the Battle of Preston Pans.

shall

shall have notice the Rebels army is: His Majesty being determined, by the Blessing of God, to do his utmost immediately and effectually to suppress this Rebellion, to protect his Majesty's faithful Subjects, and to relieve and defend the several Counties which lie most exposed to the insults and attacks of this lawless and rebellious multitude, which his Majesty had before hoped that his Army in Scotland might have been able to have done. Two Regiments of 1000 men each will be immediately transported from Dublin to Chester, in order to preserve the peace of those parts, and to join his Majesty's Army when it shall be advanced northwards.

As we have an account that the greatest part of the two Regiments of Dragoons, of Hamilton and Gardiner, that were in the Action, are now at Berwick, orders will be immediately sent for them, and any other part of Sir John Cope's troops that may have been got thither, to march immediately for Newcastle, and to be under the Command of Major General Huske.

I have the satisfaction to acquaint you, that besides the Army marching immediately under the Command of Marshall Wade, Ten Regiments of His Majesty's forces, and all the Dutch Auxiliary troops, being now arrived from Williamstadt, there will remain a very considerable force in the Neighbourhood of London for the defence and security of the Capital, and for the preservation of the peace in these parts.

Give me leave, Sir, to assure you (and I desire you will do the same to the rest of the Gentlemen), that I shall with the greatest pleasure do every thing in my power to forward any assistance and support that you may want in this critical conjuncture; being glad of all occasions to shew myself yours & their

Most obedient humble Servant,

(Sic Subscribitur) HOLLES NEWCASTLE.

P. S. I should be obliged to you if, as you shall have occasion, you will acquaint the neighbouring Gentlemen with the Steps His Majesty is taking for the Suppression of this Rebellion.

No. CCLXX.

The Mayor of Newcastle to the Lord President.

My Lord, Newcastle, Septr 26th, 1745.

BELIEVING it may be for his Majesty's service, and also acceptable to your Lordship, to be informed of the true state of matters here at present, I take hold of the opportunity of a vessel ready to sail for Aberdeen to acquaint you, that I received an Express last night from the Duke of Newcastle, dated the 23^{d} Instant, which brought his Majesty's sign Manual, authorising me to form Companies of His Majesty's well-affected Subjects in this place, and to grant Commissions to Officers for the Command of the same. Also, that store of Arms and Ammunition are ordered hither forthwith, that the place may be put into the best posture of defence against the Enemies of his Majesty, in case they make an Attempt upon it. The Gentlemen of Northumberland and Durham met yesterday, and made a noble appearance, and have entered into Associations to raise a body of Men for his Majesty's service. The Dukes of Bedford, Rutland, Kingston, Bolton, Lord Halifax, Malton, Irwin, Herbert, & several other Ld Lieut^{ts} have Commissions, & are raising Regiments of Horse, at their own Expence, to be employed as occasion shall require. 2,200 Swiss, five Companies of Maj^{r} Genl Blakeney's, Duke of Montagu's Horse, St George's Dragoons, are on full march into the North, commanded by Genl Wentworth. Two

Regiments

Regiments of Dutch on board Transports are now between London and this place, to remain here under the Command of Major Gen[l] Huske. 700 of the Dutch are landed at Berwick; and the ten Battallions of British landed at Gravesend on Sunday last; so I doubt not but a great Body will soon be in this part of the kingdom, sufficient to quell all further attempts of the Rebels. By the Acco[ts] we yesterday had, they remained encamped near Edinburgh, and were in number now about 8000.

I am, my Lord,
Your Lordship's most Obedient h[ble] Serv[t],
M. RIDLEY, Mayor.

To the R[t] Hon[ble]
the L[d] President.

No. CCLXXI.

General Wightman to the Lord President.

My L. P. Newcastle, 26th Septem[r] 1745.

I CAME to Edinburgh from Potosi on the 10th instant, after having sett my Smelt Miln agoing, & put every thing in such order, under the direction of an active agent, as my affairs will go on successfully in my absense, without any interruption. I found the honest people in the City very zealous, and G. D. & I. N. very active; but soon perceived the Provost was a dead weight upon them, acting in the little subtil sly way. I assisted M[r] M[c]Laurin in forming a plan for fenceing the City, in some such manner as was done A° 1715, which somewhat was done before I left the City on Monday the 16th at noon; but nothing to the purpose. I soon saw the Provost's Plott; which was, to render all the efforts of the honest people of the Town vain, by arming the train'd bands, & critically raising a tumult in the City, which would have issued in their utter ruin. I therefore apprized my friends of their danger, & put the enclosed paper into G. D.'s hands; the effect whereof was, that the Volunteers laid down their Arms about 5 hours after I left the City. The Prov[t] having declined to consent to the admission of the Dragoons, or even to invite 100 of them to assist in its defence, next morning betwixt 5 & 6 o'clock the Rebells entered, by a concerted surprize, whereof you have doubtless heard the particulars before this can come to your hand.

I retired to Cockence without a servant or Clog-bag, mounted on a borrowed horse, having only about 5 Crowns in pocket; and next morning I sett out for Dunbar, to find out S[r] Jo. Cope, and found him there disembarking the troops; where I continued till Thursday, and then accompanied him in his march, acting the part of a detached Volunteer, to get intelligence of the Rebells, without being so much as known to the G[ll], or having any communication with the Ministers of State. Mounted on my old little Cropt Galloway, I was determined to witness the issue of that march (tho' I did not approve of it), and to be a near spectator of the Battle, if any such thing should happen; and therefor I posted myself by break of day on Saturday morning on the Rear of Hamilton's Dragoons, about a Muskett shott from them, and had not stationed myself above 3 minutes, when the scuffle begun (I say scuffle, for battle it was not), which lasted about 4 minutes, and no longer; for Hamilton's Dragoons, who were upon the left wing, wheel'd to the right, thereby disordering L[d] Loudoun's Highlanders, who stood next to them, and fled towards Coll. Gardner's House, upon the approach of the Edinburgh Riff-Raff Volunteers, without firing, or being fired upon, and without drawing a sword. The six Field Pieces, which were placed on the right wing, were discharged only once, and only 12 platoons were fired. When all was in Rout, I stayed in my station, calm & fearless, till I saw all the Dra-

goons quite out of the field, & the foot surrounded on all sides; and then marched off, accompanied by Lord Drummore (who lay w^t^ G. D. & me, at Mr Mathie's house in Cockence all night), through Prestonpans, & through his Parks to Pinkie Mains, & thence directly to Carberry; whence we travelled very gravely by Cranston to Falla, where we stopt, & awaited the G^l^, who came thither with about 500. of the 700 Dragoons, accompanied by Ld Loudoun, Ld Hume, & Geo. Drummond, who would needs fight among the Dragoons, mounted on an old Dragoon horse of Mr Mathie's, q^h^ he bought for £4, & employed in drawing his cart. He could not get up to the right to joyn Gardner's Dragoons, as he intended, before the scuffle began, and therefor joyned Hamilton's, by whom he was swept away out of the field, to his great good luck, & my great comfort. He is now at Berwick, acting the part of Secretary to G^ll^ Cope. I accompanied him to Gingle Kirk, and then left him on his way with the Dragoons to Lauder, and traveled gravely, as I used to do, to Coldstream, by way of Grindley, and came thence hither, accompanied by S^r^ Ja. Carnagie, from Woolerhoughhead to Morpeth, where I found Baron^t^ Clerk and his family, who passed through this place yesterday to Durham.

I came hither with a design to be of some use to my friend in his present active sphere, for which he is the only person in the Corporation who is qualified, and purpose to stay with him while I can be of any use; lodged with him as usuall; and, thus opportuned to know all that passes, possibly I may once more go out to get intelligence into the antient kingdom, and even go as far as Cockence, mounted on one of the best of his horses, attended by a servant. I am of opinion, the Rebells will move Westward into the shire of Air by way of Glasgow; there to await the arrival of the Ferrol squadron, and then march thro' Nithsdale to Carlisle by way of Dumfries. In which case, Edinburgh & the 3 Lothians may be recover'd by a handfull of Men, with whom I will go home; and if I find I can be of no use in the City, Ile return to Potosi, if another shoal of pestilential attoms does not come South from your Region.

The true English spirit is roused, and I'm in no pain for the issue, tho' every Highland man, and all the Jacobites in Scotland, were collected under the Pretender's Banner, & advanced into England. But if the French land an army from Flanders near London, then the abomination of desolation encompasses our Metropolis, and we are in the utmost danger how soon his reign commences; the issue whereof I very well know, and will advise all my particular friends to quit the Island, unless they have a mind to take the mark of the Beast on their forehead; i. e. go to Mass, thereby declaring themselves Papists; or on their right hand, by acting for a Popish Pretender, as, alas! shoals of my poor Countrymen are doing, at the expence of being tormented with fire & brimstone for ever & ever.

A letter from you, directed hither, will be a mighty solace to one who is unalterably your's,

ROBERT WIGHTMAN.

LoDowIC: XV.
DCLXVI.

The foot are almost all prisoners, 1300 in number, together w^t^ 60 Officers, who are in the D. of Q———ry's house; among whom is Coll. Hacket & Tam Lindsay, who were thought to be killed.—Honest, pious, bold Gardner died in the field, & was stript very nigh to his own house, as is said. I believe he prayed for it, and gott his desire; for his state of health was bad, & his heart was broken with the behaviour of the Irish dogs whom he commanded.

The

No. CCLXXII.

The Same to the Same.

My Dear L. P. Newcastle, Septem^{r} 30th 1745.

THE Ship bound for Aberdeen not being as yet failed, Lord Loudoun brings you this packet, in which you have a Copy of the paper found in Hickson's Clog-bag, which occasioned his cutting his own throat in Prison on Saturday morning. He is under the Surgeon's hand, & wishes to live; if the wound superat [suppurate] he will recover, and probably make great discoveries of the Persons with whom he was to traffique, who, I'm affraid, are not a few in this town & county. Herewith you'll also have a copy of the D. of N:Castle's last letter to ye Mayor, if I can get it copyed; by which you'll see the state of things from an authentic voucher.

The 600 Dutch who landed at Berwyk are on their way hither, that the whole corps may be collected here. I'm sorry for it, because I think it will encourage the Rebells to make an attempt upon Berwyk, which otherwise they would not have dared to do; and perhaps induce them, after they are masters of it, to try what they can do here, and will have other mischievous consequences, if they get hither before our Army is formed; at the same time that it will discourage the people left for the defence of Berwyk, who are only 3 Companys of Blakeney's, & the townsmen. As to other particulars, I refer you to Ld Loudoun, and ever am

Inviolably your's,

R. W.

No. CCLXXIII.

INSTRUCTIONS by the Young Pretender, before his March into England.

YOU are hereby authorized and directed to repair forthwith to England, and there notifie to my friends, and particularly those in the North & North-west, the wonderful success with which it has hitherto pleased God to favour my endeavours for their deliverance. You are to let them know, that it is my full intention, in a few days, to move towards them; and that they will be inexcuseable before God & Man, if they do not all in their power to assist & support me in such an undertaking. What I demand & expect is, That as many of them as can should be ready to joyn me; and that they should take care to provide Provisions & Money, that the Country may suffer as little as possible by the march of my Troops. Let them know that there is no more time for deliberation; now or never, is the word. I am resolved to conquer or perish. If this last should happen, let them judge what they & their posterity have to expect.

C. P. R.

N. B. Hickson was apprehended & put into Newgate at Newcastle, on Friday the 27th of Sept^{r}, and came from Edinburgh on ye 24th, the day after the skuffle of Preston.

No. CCLXXIV.

Sir Andrew Mitchell to the Lord President.

My Lord, Whitehall, 2^{d} October 1745.

I HAD the honour to write to your Lop the 5th of Septr. Since that time the face of affairs in Scotland is sadly altered. Sir John Cope's defeat, which leaves the Rebels in the possession of Edinburgh & of all the South Country, has justly occasioned

CHARLES EDWARD STUART.

Engraved by R. Cooper from an original Drawing made at Florence in 1776.
by the late Ozias Humphry Esq.r R.A.

CHARLES EDWARD STUART.

a very great alarm here. The first effect that this produced was, a run upon the Bank, which is now happily stopped, by the numerous Association of the principal Merchants to receive & make payments in Bank Notes; and by it the publick credit is re-established.

The King has ordered a very large body of troops, Dutch & English, with a train of Artillery, to march directly to Scotland. They are upwards of 9000, and are to be commanded by Marshal Wade; besides, it is probable that more will be sent to join them, as all the British troops are to come from Flanders. Who could have imagined that the P.'s son landing in Scotland with 7 or 8 people, & joined by such people as Kenlock-Moydart, cou'd in two months have been in possession of Edinburgh, and have occasioned such an alteration in the affairs of Europe as the recalling of our troops must necessarily produce.

Lord Loudon was to set out from Berwick some days ago; but as he might be some time at Newcastle before he cou'd find a Ship for Inverness, I hope your Loꝑ in this time of danger will act by yourself if any opportunity offers. When he arrives, he will ease you of much trouble, and I dare say will on every occasion be ready to follow your advice.

As the motions of great Bodies of Troops, under old & cautious Generals, is always very slow, I own I cannot help flattering myself, that in case the Highland Rebels shou'd march into England, leaving only a small or moderate guard to blockade the Castle, that your Lordship may have the honour of recovering the City of Edinburgh, and of relieving the Castle; but of this your Loꝑ can much better judge: I speak only what I wish.

Every body here is sensible of what service your Loꝑ's presence has been in the North. Your influence has prevented many from rising; and if, notwithstanding the present unhappy situation of Affairs, your Loꝑ shall be able to raise the Independent Companies, so as to act before the Arrival of the Troops, you will have done the most essential service to the Government that has in my memory been performed by any subject.

I need not mention to your Loꝑ the unfortunate situation of this Country; a divided and a diffident Ministry; the rage of Party still so strong, that they are more animated against each other than against the common enemy.

Your Loꝑ must be sensible that the late mark you have had of his Majesty's confidence has already occasioned some reflections from a quarter, that I believe wou'd rejoice if you was not able to raise one man; but I hope your Loꝑ's prudence, interest, and address, will be superiour to all difficulties, & at last confound the malicious schemes of those who wish well to themselves only. I have time to add no more, but that your success is the constant prayer of,

My dear Lord,

Your most obedient humble Servt,

ANDw MITCHELL.

No. CCLXXV.

Lord Lovat to the Lord President.

My dear Lord, Beaufort, 7th October 1745.

I WAS very glad to hear, by my Cousin Macleod, that your Loꝑ was in your ordinary good Health, notwithstanding of the fatigue that you must undergo in these confused & troublesome times.

I send your Lordship a letter from my dear Cousin, and your real friend, the Laird of Macleod. And if it will be agreeable to your Loꝑ, as it is truly to me, I shall be

mighty glad of it; and I shall steadfastly observe & stand by the Terms of that letter; and whatever turn the Affairs of State may take, I shall always live with your Loᵖ as a Neighbour, Relation, and real Friend ought to do, & will never forget the obligations I owe to your Loᵖ and your family.

There has been several villainous, malicious, and ridiculous reports, that vex'd me very much; but as there was nothing ever out of Hell more false, I despise them and the Scoundrels that invented them; and since the whole business, trade, and conversation, of many in Inverness is, to invent and tell lies, I hope your Loᵖ will believe no ill or mean thing of me, till you have a real and infallible proof of it; as I am resolved that this shall be my conduct towards your Loᵖ. And if your Loᵖ pleases, let us live together as we did since you came North, communicating to one another what news we hear, & inquiring for one another's health.

If it was not for the excessive pains that I have in my knees and limbs, I would certainly have paid my respects to your Loᵖ at Culloden before now, notwithstanding of all the villainous lying stories & reports that have been going, much to my disadvantage, & a little to your Loᵖ's; and I am very sure that it is the advantage of my family and person to be in friendship with your Loᵖ, and I am resolved to observe that friendship inviolably, if your Lordship does not reject it, which I by no means apprehend. I shall long for an answer of this letter; and I ever am, with a very great Esteem & Respect,

My dear Lord,

Your Loᵖ's affectionat Cousin, & most faithful Slave,

LOVAT.

P. S. I salute my unkind relation Duncan Fraser of Achnergairn.

No. CCLXXVI.

The Lord President to Lord Lovat.

Culloden, 5 at night.
7th Octr 1745.

My Lord,

I HAVE yours incloseing Mac Leod's. Both Letters breathe what I should expect to meet with from both, stark love & kindness. I have spent my time ill for many years past, if your Loᵖ is not convinced that I wish in a very uncommon way well to your family; & the drumly times in which we now live may perhaps show it, more than perhaps would be imagined. If Mac Leod has told you all he knows, he has given you a strong instance of this; & I do once for all assure you, that no accident that can hapen will divert me from pursueing the resolutions which I was possess'd of, as you well know, with respect to your Loᵖ, 30 years ago. I mightily approve of your purpose of conforming yourself to the resolutions of the friends you speak of; as you know for them I have the greatest respect. The tales you have been told ought not to make any impression on your Loᵖ, as they have made none upon me, further than to induce me to take that sort of care of myself, without which I should have been laugh'd at. I was very sory to hear that the cold weather had affected your Loᵖ. Upon the sudden change you ought to have been more carefull; but the cold bath, & abstaining from cold air, will certainly remove your complaints. If you have any occasion for the lazy Dr, tho' I have some occasion for him, he shall attend you. If I hear any thing that is new, which I do not look for for some days, as the communication is intercepted, you shall hear from me. My Compliments to my Pupill the Master. I am, with wishes that have remain'd almost from my Cradle,

Yours, &c.

No. CCLXXVII.

The Lord President to Lord Lovat.

My Lord, Culloden, 11th Octr 1745.

AS you desired I might give you notice of any thing new that comes to my knowledge, I send you this Note to let you know that E. Loudon came hither last night: a Frigate brought him to Cromerty yesterday morning. All the News he brings is, that, besides the auxiliary Dutch, & the ten British Battallions already landed, 8 more Britt. Batt^{ls} & 9 Squad. lay actually embark'd at Williamstad, waiting a wind for the north of England, befor he left Newcastle. That 2000 men from Ireland are landed at Chester; that the Troops are in full march northwards, with some Reg^{ts} of Horse & Drag^{s}, all to be commanded by your old acquaintance M. Wade; that there is a prodigious spirit up among the Nobility & Gentry of England, severall of whome are by permission levying Troops & Reg^{ts} of Horse at their own expence; & that the anger conceived at our unhappy Countrymen who have given this disturbance is extreme. That what my Lord says is truely his belief, I do not at all doubt; & I must confess, I further believe that what he says is true. I heartily wish your faith were such as mine is; it is not yet too late. Nothing can equall the concern I have for your Lop's family, but the Joy it would give me to be the instrument of saveing & doing it good. I write this freely, because you, I hope, believe me a sincere well-wisher. My service to the Master. I hope to hear that your Complaints are vanished. I am, without ceremony,

Yours, &c.

To my Ld Lovat.

No. CCLXXVIII.

Lord Lovat to the Lord President.

My dear Lord,

I RECEIVED with great pleasure the honour of your letter; & I'm exceeding glad to know that your Lop is in great health and spirits. I am so unlucky that my Condition is the reverse; for I have neither health nor spirits. I have intirely lost the use of my Limbs; for I can neither walk nor mount a horseback with the help of three or four men, which makes my Life both uneasy and melancholy. But I submit to the will of God.

I am very glad that my relation and friend the Earl of Loudon is come safe back to this Country, after the great danger he was in. I have great reason to love and honour him; for, besides his own merit, I was in intimate friendship & comeradship with my Relations the Earl of Loudon his Father, who was certainly a wise and great Man; and with his worthy Uncle, the General, with whom I liv'd as with a Brother; so that I have great reason to wish this Earl very well; and I humbly beg of your Lop to make my Compliments to him. I am sorry that my faith is not the same with your Lop's; but I hope our friendship for one another will always be the same; that is, full of sincerity and affection. As to the Earl's news, I am sorry that the people of this Country will give it only such Credit as your Lop will give to the News that I send you from the Highland Camp. A man told me yesterday, that he saw a Gentleman immediately come from the South, who assured that there were 10,000 French landed in England, and the Chevalier's second Son with them. This is an Article that I truly do not believe myself; but there is another piece of news, that I had from pretty good authority, That the Duke of Beaufort, Sir Watkins William Wynne, and Morgan of Tradagan,

Tradegan, have put up a Standard, and are already 6,000 strong, to join the young Adventurer. This I know your Loᵖ will not believe, tho' the Earl of Loudon must have heard of it. That there is a great spirit through all Scotland for this young Gentleman, is very manifest. All the Gentry in the Shires of Bamf, Aberdeen, Perth, and Stirling, are in motion to join the Prince, as they call him. Your Cousin, old Lord Pitsligo, was last week at Perth, with 100 Gentlemen well equipp'd, going to join the Highland Army. There are four squadrons formed already at Edinburgh, all of Gentlemen and Freeholders, to be a Life Guard to their Prince, commanded by Lord Elcho; whom I never saw, tho' he is my very near Relation. Sir James Campbell, of Auchinbreck, and other Gentlemen in Argyleshire, have march'd with 1200 Men to join the Highland Army; and without all doubt the Spirit of the most of Scotland is manifestly for that young Adventurer; so that he is much wiser than I, nay I think he must be a real prophet, that can tell which of the sides will carry. I am very sorry that this spirit is come to so great a height in this Country; for the Clanchattans rendezvousing to go and join the Highlanders has so intoxicated my people, that I find it morally impossible for me to stop them. The oldest Men, that are substantial Tennants, say, that they will not stay behind, to be upbraided with cowardice by their Neighbours. Your Loᵖ may remember that I had a vast deal of trouble in keeping my Men from rising at the beginning of this Affair; but now the contagion is so universal, by the late success of the Highlanders, that they laugh at any Man that would dissuade them from going; so that I really know not how to behave. I wish I had been in any part out of Britain these twelve Months past, both for my health and other Considerations. As a true friend is always best known in time of great need, I humbly beg that your Loᵖ will give me your best advice, & forgive this freedom, which I would use with no other Man but your Loᵖ. And believe that I am, in all situations of Life, wᵗ a sincere Esteem & great Respect,

My dear Lord,

Your Loᵖ's most affecᵗ Cousin,
& most faithful Slave,
LOVAT.

Beaufort,
11 Octᵇʳ 1745.

No. CCLXXIX.

The Lord President to Lord Lovat.

My Lord, Culloden, 18th Octr 1745.

I WOULD have acquainted your Loᵖ sooner of the idle attempt that was made on this house in the night between Tuesday & Wednesday last, by my relation Foyers, & some others, whome your Lordship acquainted me some time ago you could hardly govern; but that I very well know it would give your Loᵖ more pain than it did me; tho' no Man of common equity, who knows that they carry'd off my Sheep, robb'd my Gardener, & the poor Weaver who is a common benefite to the Country, & carry'd off some of my tenants Cattle, will immagine that there was the least countenance from any one about your Loᵖ to this transaction; nor should I now give you any trouble on a subject so disagreeable, but that I am teased every hour with reports, that the Gentlemen who fail'd of their principal aim give it now out, that they are to pillage, burn, and destroy my innocent tennants. These reports, I confess, I give no credite to, knowing that I never deserved any such usage at the hands of those who are said to intend it; but as things very unforeseen now-a-days happen, I have judged it proper to acquaint your Loᵖ with what I hear, in full confidence that you will take as much

pains

pains to prevent such hurt to me & my tennants, as I most undoubtedly should to prevent damage to your Lop, or any one that belongs to you. I have no news, supported by such authority as is fit to convince you, whose faith is on one side stronger, & on another weaker, than mine: else I should give you them. But I hear enough to satisfy me, that our unhappy contentions will soon be at ane end. God grant they may end with as little harm to our poor Country as possible. I need not repeat what I have so often assured, that I am to your Lop & your family a reall well wisher, &c.

Note.—The Castle of Culloden, being very strong, & having several pieces of cannon on its rampart, was not to be taken by a coup-de-main.

No. CCLXXX.

The Lord President to Lord Loyat.

My Lord, Culloden, Octr 19th 1745.

YOUR Lop's letter of the 17th *, which I received this morning, gave a smarter concern than any thing I have met with of a great while. What portends no less than ruin to your Lop & to your family, for which I have been so zealously interested dureing the best part of my life, & at the same time threatens imminent destruction to that young Man in whose favours I am strongly prepossessed, cannot fail to affect me with very sensible uneasiness; & all the consolation I have is, in the good opinion I have of the young Gentleman, and hopes thence arising, that, however violent the present sally of his youthful inclinations may be, he will consider the unavoidable effects of his rashness to your Lop, & to his family, befor it is too late. I write, your Lop perceives, not as a Man in any Character or Employment; but as a hearty well-wisher to your family, so far as my allegiance will permit: & in that light give me leave to say, that I cannot permitt myself to believe, that if the consequences were duely represented to the Master, he would persist in a resolution so dangerous & so big with mischief. His birth, his fortune, his hopes (except those that may of late have been put into his head), he owes to your Lop, & must with half ane eye see that; however innocent your Lop's inclinations may be, as Men are now made, his act will be imputed to you; & the consequences of that imputation, or even the suspition of it, at this time of day, & in the present situation of your Lop's health, I confess I, who, in respect of him, am but a stranger, cannot think of without great uneasiness; & when I reflect on what I feel within myself, I cannot but hope that my young friend, who I'me shure has parts, & I perswade myself has naturall affection, will, upon serious reconsideration, drop this dangerous enterprise, if the case is but fairly stated to him. I therefor wish; & earnestly entreat your Lop, without loss of time, may have these things stated to him as they are: your Lop will judge of the fittest person to do it by; for my part, I know of none so proper as Thos of Gortuleg, whose understanding is equall, in my oppinion, to his fidelity to your Lop; & that is a bold word. I shall be impatient till I hear of the success from your Lop. I am sory the idle attempt upon my house has given your Lop so much pain. By a letter which I wrote your Lop last night befor I received yours, you will see my sense of it. The people loiter'd at Essich for some hours to taste my Mutton in day-light, & by these means were all known; but let them do no more harm, & I freely forgive them; only I wish they

* This Letter does not appear in the Collection.

would

would send back the poor Gardener & Weaver their things. And if they do not send the Tennant back his Cattle, I must pay for them. The poor fellow that was wounded in the foot show'd so much resolution, that, without asking him any questions, I caused dress his wounds, & sent him to the place he chose to be at, with a protection for himself & his Landlord. There is advice that the 2d transport of British Troops from Flanders are arrived at Newcastle; so that a vast number of forces will immediately be pour'd into Scotland; the consequence whereof, to many ane unthinking Man, I very much dread. I am, my Lord, more than perhaps you think, your well wisher, & most humble Servt, &c.

No. CCLXXXI.

Lord Cromertie to the Lord President.

My Lord,

WHEN I saw your Lop last at Culodden, we then concerted that I should look out for some Men, to have them in raddiness when there might be occasion for them. In consequence of which, I spoke to several of my friends to know wt I might expect from them; and to others at a Distance I wrote, & us'd such arguments as I thought might be most apt to exceet them to come into measures. I am sorry to hear that I am misrepresented; & that my endeavours, when I meant them for the best, are misconstrued by some; tho' I hope your Lop, who know my sentiments of these matters, will give no credite to any idle storys; on the contrary, I would expect you wou'd contradict them, & take my parte agt any that, out of ill will, endeavour to assperce me. But I believe there is none at this time free of being, in some shape or other, misrepresented: I must take my share in a generall calamity. When I see yr Lop I will tell you a great deall more of this then I can trouble you with in a Letter. In the mean time I beg leave in this way to assure you, that I am,

wh great truth, My Lord,

Tarbat, 19th Octr 1745. yr Lop's most obedient & most humble Servant,

CROMERTIE.

No. CCLXXXII.

Lord Lovat to the Ld President.

[No date; but, certainly, of the 20th Octr 1745.]

My dear Lord,

I RECEIVED the honour of your letter Yesterday Morning by an Express from Baillie James; and, truly, the generous and moderate way that your Lop writes of that base, barbarous, inhuman, and distracted attempt and behaviour of the Stratherrick men at Culloden, rather augments my trouble of mind and vexation than diminishes it; for I could never imagine, that any man that had the honour to know your Lop, or to hear of you, should be so villainous and unnatural as to hurt your Lop, or the meanest person belonging to your Lop; since your goodness and liberality to mankind in distress is as well known as your Name and Employment; so that those that acted this villainous attempt and plunder has been Ruffians without the fear of God or Man, and they will have what they deserve some day or other.

If unhappy Foyers has been there, which I hardly can believe, he has been strangely imposed upon by the greedy subtile Rogues that were with him; for he is naturally

turally a weak Man; but tho' he was never so weak, it is a surprizing thing that Foyers, whose Grandmother was a daughter to Culloden, and your Lordship's Grand-aunt, should go and be witness to such a barbarity acted against your Lordship, and against your people; it is hardly credible. I can freely declare upon honour and conscience, that I never heard Foyers speak disrespectfully of your Loſ, and this year or two I don't remember to hear him mention your name; so that I cannot well comprehend what madness possessed him if he was there. I sent your Loſ's letter to Gortuleg, and desired he would communicate it to my Son, and that they would seriously reflect on the horrid barbarity of this action; and that they should order immediately to send back all the plunder that remained of what they took away. I ordered particularly Gortuleg to send back all your Loſ's Sheep that could be had; that I would give double the value of them, rather than that your Loſ should want them. I am very much persuaded, that my Son and Gortuleg will use their outmost endeavours to see what they can find out of the plunder sent back; and if your Loſ's Sheep cannot be had, I have about a hundred good fat wedders, and I shall divide them with your Loſ with pleasure, and send you the half of them, if you will be so good as to accept of them; and, as they say in the Highlands, *Good my Common*; for I owe more obligations to your Loſ and to your family, than all the Sheep, Oxen, Cows, & Horses, that ever I had, were worth. I did not know that there were Oxen stolen lately from your Loſ from Bunchrew, till I got your Lordship's letter last night: that thieveish action has certainly been done by the Urquhart and Glenmorrison men, who stole your Loſ's Oxen before, that were tracked by your own Servants, and by my Tenants, and got back. This Country is in a very bad situation, with bad neighbours both to the South, and North, and West; and in such troublesome times as we have, the Rogues thinks it is their Harvest to plunder, and steal, and give themselves loose Reins. This last fortnight my Cousin William Struie's Uncle, that is married to Kilbokie's Daughter, and who is a very honest man, and she a good Woman, had Twenty fine Cows stolen from him. The Country went upon the Tract, and went into Lochaber, to Brae Lochaber, & to Rennach, and came up with the Thieves in my Lord Braedalbine's Forest in Glenorchy; a much longer way from this than Edin' is. The Thieves, upon seeing the party that pursued them, abandoned the Cattle and ran off; and William brought home his Cattle, but had almost died, and all that was with him, of fatigue, cold, and hunger; but indeed it was the best followed Tract that ever I heard of in any Country. You see, my Lord, how loose the whole Country and Highlands is, when four villains durst come a hundred Miles and take up the best Cattle they could find in this Country; for they think there is no Law, and that makes them so insolent. I pity all honest men that are subject to the Insults of those villains.

I beg your Loſ's pardon for this digression; and I now beg leave to answer, the best way I can, the most kind and obliging letter that your Loſ did me the honour to write me Yesterday; for which I give your Lordship a million of thanks. It is impossible for me to express the grateful sense I have of the vast concern that your Loſ has and always had for my family. I pray God reward you for it, since I cannot. Your Lordship must own, that my present troublesome situation is to be regretted; for you cannot but remember, that I was all the Summer fully determined to go abroad for four or five Years, to recover my health & the use of my Limbs, and to pay all my debts, that I might leave the best Estate in this Shire free from all incumbrances to my Son. And this Prince's Landing in the West Highlands was as great a surprize to me as it was to any Man in Scotland: but who can prevent accidents, or the designs of Providence? It is certain, that what he has done since he landed seems rather to be a Miracle, than the effects of Men's heads or hands; and how far that favourable Providence may

follow him or conduct him God alone knows; for he seems at present in a fair and probable way of succeeding. For those of *his* party have quite different accounts from those that your Lop̃ has, and their faith directly opposite to yours; and I can assure your Lop̃ without any party View or Influence, that those that are resolved to stand by him are much more numerous than your Lop̃ imagines; and they flatter themselves that he will have succours from France and Spain; of Men, Money, & Arms. So, as I told your Lordship before, he must be a very real prophet that can tell what side will gain or lose; and that makes every person go to the side that they love most. It is certain, that almost all the Highlanders in Scotland love the Pretender, and his Interest, more than they do the Interest of the present Government; and if he be assisted by the English friends of the Pretender, & by a Foreign Force, he believes he will succeed in his Enterprize. But I do solemnly declare to your Lop̃, that nothing ever vex'd my soul so much as my Son's resolution to go and join the Prince, and venture his person with him; and this mad resolution struck him in the head as soon as he heard of the Prince's Landing; and after what M'Leod said to him, and what Gortuleg said to him, and what myself said to him, I know by his answers to M'Leod, Gortuleg, and me, that all the creation will not keep him from going to live & die with that Prince. I refer it to your Lop̃, who has a true sense of the danger of my Family by his going out, what a load and weight of grief must be upon my Soul, to see my Son, my self, & my family, in such danger & jeopardy. But I cannot help it. I must submit to the Will of God, & there I must leave it. I sent your Lordship's last letter with a clever Man to travel all night, that he might deliver it to Gortuleg as soon as possible; to whom I wrote the strongest exhortations, to entreat of him to use all his credit & good sense with my Son to dissuade him from his very rash & inconsiderate resolutions; and, for my part, as my Son only smiles and laughs at me when I make strong remonstrances to him against his resolutions, I am resolved never to write nor open my Mouth to him upon that subject. And, as God Almighty has at many times wonderfully delivered me out of many dangers and difficulties by Land & Sea, I throw myself on his Divine Providence, and trust myself entirely to it; for if God, in his Providence, save my Estate, I do not give three halfpence for my Life; for it is but wearisome to me & full of troubles.

I beg, my Lord, that you may not be in the least apprehensive that any of those Rogues, or any in my Country, go & disturb your Tenants; for I solemnly swear to Gortuleg, that if any Villain or Rascal of my Country durst presume to hurt or disturb any of your Lop̃'s Tenants, I would go personally, tho' carried in a Litter, and see them seized & hanged *. So, my dear Lord, I beg you may have no apprehension that any of your Tenants will meet with disturbance as long as I live in this Country; and I hope that any Son that represents me will follow my Example; so let Monarchys, Governments, and Commonwealths, take up fits of Revolutions & Wars, for God sake, my dear Lord, let us live in good friendship and peace together. This is my sincere wish & desire; since it is impossible for me to forget the obligations I owe your Lop̃ & your Family; for which reason you shall always find me your most affectionate Cousin, & faithful Slave,

LOVAT.

P. S. I give my kind humble service to my Cousin Duncan of Achnagairn. My Cousin Baillie James, in his letter last night, tells me, that he is sorry that the Lady Achnagairn disobliged me. He is highly in a mistake; for the worthy Lady never

* This language, addressed to the first law officer in Scotland, may serve to shew the state of the Highlands at that period.

disobliged me in her Life: but, on the contrary, was always mighty kind and civil to me. But Baillie James's saying proceeds from a mistake that happened this last week; the Lady Achnagairn wrote to Gortuleg, to beg of me, that I should give her my protection. I desired Gortuleg to give my humble duty to her Ladyship, & tell her that I was not well pleased that she should ask any other man of my Country for any favor that was in my power, and not ask it of myself; but that he might assure her, that I would be always as ready to serve her, as I would be to serve my Mother, my Sister, or Daughter. This is the real fact; so that Baillie James was mistaken when he thought that I was angry at the Lady Achnagairn. I have not been out in my Chariot these three weeks; otherwise I would have done myself the honor to wait of the Lady Achnagairn.

No. CCLXXXIII.

The Lord President to the Earl of Cromertie.

My Lord, Culloden, Octr 21, 1745.

THE letter which your Lop did me the honour to write of the 19th was delivered to me yesterday by And. Monro; it came to me seasonably to relieve me from abundance of uneasiness, occasioned by very many reports to your Lop's prejudice; to which nevertheless I could not give credite, as they were flatly contradictory to the hearty declarations of your Zeal for his Majestie's Service which your Lop made to me when I last had the honour to see you at this place. But as nothing is more possible, than that the very steps taken by your Lop to forward the intention which you declared to me might, in this age of rumors & suspitions, be construed by those who dislike the Government into so many evidences of your purpose of sideing with them; & as your Lop has again assured me, that your disposition is & has been the same as you formerly declared to me; I dismiss all doubts, & leave those idle reports to be entertainment for those that made them; & I'me very hopefull that if any such reports have found their way Southward (which I assure your Lop they have not from me, or by my means), what I from your Lop's declarations can say, together with your future conduct dureing these Commotions, which I pray God & hope may be soon over, will be effectuall to dissipate all surmises that have hitherto prevail'd amongst the Makers and Retailers of News in this Country.

I am, with great respect, my Lord,
Your Lop's most ob^{t} & most humble Servt, &c.

No. CCLXXXIV.

From the Lord President to Lord Lovat.

My Lord, 25th Octr 1745.

PARDON the anxiety I have to know the effect of the last letter I wrote, which your Lop said you sent to the Master. My good opinion of the Master's understanding, & of his reguard for your Lop and for your family, gives me some hopes that he will think seriously befor it is too late; & the necessity I am under of saying somewhat about the situation of this Country, by a Vessell that is soon to sail to the southward, quickens the strong desire I have to hear good news from him; because nothing could give me greater satisfaction, than to have it in my power to prevent those misfortunes which I dread from his Conduct, should he persist. If what I am now doing is not sufficient evidence of my good wishes, it is in vain to employ words to assure you that I am your reall friend, & most humble Servt, &c.

No. CCLXXXV.

Lord Lovat to the Lord President.

My dear Lord,

I HAD the honor to receive your Lordship's letter two days ago; but this House has been so full of all sorts of strangers, that it was impossible for me to make ane answer. Still waiting, that Gortuleg might have a good opportunity to speak to my Son about the essential affair that you was so good as to acquaint me of in your letter, in such a kind and affectionate manner for my Son and for my family, that he and I would be most ungrateful monsters if we did not remember it in the sincerest gratitude and strongest friendship to your Loꝑ and to your family. Gortuleg declares to me, that he could not yet get a full occasion to speak to him thoroughly as he could wish, because of the strangers that are still here, who, I believe, blows him up in his folly; and Gortuleg is as much against his project as your Loꝑ is. For my part, my Lord, I solemnly protest to your Loꝑ, that since my Son was determined on that mad, foolish project, I never spoke to him about it, but he always flew in my face like a wild cat when I spoke to him against any of his distracted opinions; and any thing that I got done with him was by Gortuleg's means, who has a great deal to say with him. I have earnestly begg'd of Gortuleg, within this hour, to use all his interest with him not to go away this week; for God knows what a week may produce.

As Gortuleg told me, that he heard it whispered among the Gentlemen that were here these two days ago, that Barrisdale was resolved to go to Assinn with 4 or 500 men, and raise the people of that Country to go with him South; and if they refused that he was resolved to destroy the whole Country. As I was very much concerned for Genias, and for my dear Cousin, your neice, his Lady; I spoke to Gortuleg in very strong Terms, to tell my Son, that if he sent a man with Barrisdale on that Expedition, I would never speak a word to him while I liv'd. So, as he has a great friendship himself for his Cousin the Lady Genias, he easily followed Gortuleg's advice, and refused to give a man to Barrisdale; which broke & blew up that Project. I am very glad in being any ways instrumental in overturning such a base inhuman design.

I wrote to your Loꝑ some time ago, to beg of you, as you wish'd me well, to give me your advice how to behave in the distracted situation that this Country is in. If I knew where to go in safety out of it, I certainly would not stay in it; and I am so unlucky with the weakness and pain in my knees and limbs, that I am not able to mount a horseback, nor walk the length of your Garden without assistance, if it was to save my Life. But if I was able to ride, I would be in no pain; for I could go and visit all my friends in the Shires of Murray, Ross, Sutherland, & Caithness, where I never was, tho' I have a great many relations in those Countrys; and discoursing with different persons every other day would divert my melancholy, which is truly heavy upon me at present; and if it increase, it will very soon make an end of me. I would go straight to Edin', if the Highland Army was not there, and thereabouts. But since I am fully resolved to have nothing ado with them, I dare not go to Edin'. So that my situation is a little perplex'd; and I again most earnestly and humbly [beg] your Loꝑ may give me your advice about it.

Gortuleg joins with me in our most humble duty to your Loꝑ; and I give my kind humble Service to my Cousin the Doctor: he knows, if he pleases to tell it, that my Son is of a very positive, obstinate, & contradicting Temper. For my part, I can declare, if it was my last, that I never reasoned ten sentences with him, but he contradicted every one; and since he has begun this affair, his Contradiction is turned to passion;

passion; so that I really durst not open my mouth to him, for fear I should turn into a violent passion, as sometimes I have, and then be guilty of some unnatural inhuman Act that might be fatal to him & to me. So I chuse to let him alone. If he succeeds, the whole merit will be his own; and if his mad Enterprize bring misfortunes upon him, he has himself only to blame.

All the effect that my strong Remonstrances and Intreaties, in my letter to Gortuleg, to Stratherrick, had, was, to get back Eight of the Cattle that was taken from your Tenant, the rest being killed before I wrote; & faithful promises and assureances that none of your Lop's people would ever after this be molested by those wicked Rogues; and that they would send back as much as could be got put together of the things taken out of the Gardener's and Weaver's Houses. I shall long to hear from your Lop; and I ever am, with true zeal & attachment,

My dear Lord,
Your Lop's most affec^{t} Cousin,
& most Obed^{t} faithful hum^{ble} Servt,

Beaufort, Octr 27th 1745. LOVAT.

No. CCLXXXVI.

From the Lord President to Lord Lovat.

My Lord, Octr 29, 1745.

I WAITED with much impatience for the Answer to the letter which I wrote to your Lop of the 25th; & yesterday, when it came, I must acknowlege it gave me very great uneasiness; chiefly as it left it extremely difficult for me, if at all possible, to give your Lop what you so earnestly desire, advice. Should the unlucky Youth persist in his purpose, & should his Authority with that kindred for whom you have done so much, & who with reason were so passionately fond of you, prevail over your Lop's, & induce them to march, without regard to your Commands, or even to the safety of your person, the case would stand in a very odd light; & in this age of jealousy & suspition, it is impossible to say what construction might not be put upon it, even if a man had no enemy to improve such suspicions by hints; on the other hand, should the young Man yeild to your Lop's representations, or should your Authority prevail on your kindred to desert his rash undertaking, & to save you & your family from ruin, as they very remarkably did 30 Years ago, when they were much more deeply engaged than they are at present, it is to be hoped that conduct would wipe off every circumstance of suspition, & attone for any act of temerity the Master may have faln into; at the same time, that the joint force of those who in this Country are disposed to stand by the Gov^{t}, will be sufficient to protect your Country against the resentments of those who may have flatter'd themselves with the hopes of assistance from it. In those circumstances, what is left for me to advise, or rather to wish, but that your Lordship may prevail, either by Argument or by Authority, over the Master, or over your kindred, to forsake the dangerous course to which they are disposed, and to join with the gross of the North in defence of the Gov^{t}; in which case, nothing within my power for your service shall be left undone. But should what I presume to advise, & most earnestly wish, not take place, whatever my inclinations may be, I greatly fear my power will not be able to answer them. What your Lop suggests concerning time to resolve, or bring the Master to resolutions, does not depend on me; that there has been so much is oweing to the winds, which have not permitted the

Vessell

Vessell to come up from Cromerty; & so soon as she arrives I must write; & when I do, shall be extremely sorry if I have not somewhat that is comfortable to say concerning your Loꝑ: & I submitt to you one other consideration on the article of time; whether, as such a step as I propose, taken early, may be of infinite service, the same step taken a week too late might not be absolutely useless. You see, my Lord, I write without reserve; you cannot do better than consult wᵗ Gortuleg on a matter that imports you & your family so much. Company breaking in, leaves me time only to say, that I am very much your's, &c.

No. CCLXXXVII.

Lord Lovat to the Lord President.

My dear Lord,

I RECEIVED the honour of your Loꝑ's letter late last night, of yesterday's date; and I own that I never received one like it since I was born; and I give your Loꝑ ten thousand thanks for the kind freedom you use with me in it; for I see by it, that, for my misfortune in having ane obstinate, stubborn, Son and ane ungrateful Kindred, my family must go to destruction, and I must lose my Life in my old Age. Such usage looks rather like a Turkish or Persian Government than like a British. Am I, my Lord, the first Father that has had ane undutiful and unnatural Son? Or am I the first Man that has made a good Estate, and saw it destroyed in his own time by the mad foolish actings of ane unnatural Son, who prefers his own extravagant fancies to the solid advice of ane affectionate old Father? I have seen instances of this in my own time; but I never heard till now, that the foolishness of a Son would take away the Liberty and Life of a Father, that lived peaceably, that was ane honest Man, and well inclined to the rest of Mankind. But I find, the longer a Man lives, the more wonders and extraordinary things he sees.

Now, my dear Lord, I beg leave to tell you my Mind freely in my turn. I thank God, I was born with very little fear. In my greatest difficulties and dangers, by Sea and Land, and by God's assistance, I often saved my Life by the firmness and stedfastness of my resolutions; and tho' I have now but a little remains of a Life that is clogg'd with infirmities and pains, yet, by God's help, I am resolv'd to preserve it as long as I can; and tho' my Son should go away with the young people of his clan, yet I'll have six hundred brave Frasers at home, many of them about my own age, that will lose the last drop of their blood to preserve my person. Since I am as peaceable a subject as any in the Kingdom, and as ready to pay the King's Taxes, and do every thing else that a faithful subject ought to do, I know no Law or Reason why my person should not be in safety.

I did use, and will use, the strongest arguments that my reason can suggest to me with my Cousin Gortuleg, that he may repeat them to my Son; and if they should not prevail, is it just or reasonable that I should be punish'd for the faults of my Son?

Now, my dear Lord, as to the Civil War that occasions my misfortune, and in which almost the whole Kingdom is involved, on one side or other; I humbly think that men should be moderate on both sides; since it is morally impossible to know the Event. For thousands, nay ten thousands on both sides, are positive that their own Party will carry; and suppose that this Highland Army should be utterly defeat, and that the Government should carry all in Triumph, no Man can think that any King upon the Throne would destroy so many ancient good Familys that are engaged in it.

King

King William was as great a King, as to his knowledge of Government and Politicks, as sat for many hundred years on the Throne of England; and when his General, who was one of the best in Europe, was defeat and forced to run to save his Life, and all his Army routed at Killicrankie by a handful of Highlanders, not full 2,000 in number, King William was so far from desiring to extirpate them, that he sent the late Earl of Braedalbine, with £25,000. sterling, as a compliment to them; and sought no other return nor condition from them, but that they should live peaceably at Home. My Lord, we cannot imagine, that, tho' the Highlanders should be defeat at this Time, and most of them killed, and the Government full master of the Kingdom, that any administration would be so cruel as to endeavour to extirpate the whole remains of the Highlanders. Besides, it would be a dangerous enterprize, which neither we nor our Children would see at an End. I pray God, we may never see such a scene in our Country, as subjects killing and destroying their fellow-subjects *.

As your Lordship's family and mine has always lived in great friendship together, and that I have not only a particular experience of your Loᵖ's good friendship and great service done me, but likewise of the goodness and friendship of your worthy Father towards me, and of your brave Brother, who was my intimate and faithful friend, your Loᵖ may be assured, that while there is a drop of blood within me I will be a most faithful friend and servant to your Loᵖ's family and person; and who knows but Providence may give me ane occasion to show the gratitude I owe to your Loᵖ, & to your worthy Father & Brother?

I hope your Loᵖ has not forgot, that in the year 1715, when the Rebellion was great and dangerous, I did more effectual good service to this present Government then any Lord Barron in Britain; for which I had three letters of thanks from the late King, my good Master, and a favorite of his present Majesty when he was Prince of Wales and Regent, and received Marks of his favour. I think the remembrance of that should have some regard for ane old infirm Man; and it is my belief that I will be still safe under the Protection of my Lord President, while he has the full power and command of the North of Scotland. I beg leave to assure your Loᵖ of my most affectionate Respects, in which Gortuleg joins me; and I ever am, with zeal and attachment,

My dear Lord,
Your Lordship's most affectionat Cousin,
& most obedient faithful humble Servant,
LOVAT.

Beaufort, 30th October 1745.

* It is certain, that the news of the battle of Preston Pans very much changed the ideas and language of Lord Lovat.

There is extant a printed copy of a letter, chiefly verbatim the same as the above, and principally differing in this, viz. After the conclusion of this paragraph, the printed one omits the rest of this letter; and concludes with the following paragraph, which, as it is not in the original letter (extant as all the others now offered are), must be a forgery:—"For my part, my Lord, I am resolved to live a peaceable Subject "in my own House, and do nothing against the King or Government; and if I am attack'd, if it was by "the King's Guards and his Captain General at their Head, I will defend myself as long as there is breath "in me; and if I am killed here, it is not far from my Burial-place; and I will have, after I am dead, "what I always wish'd, the Cronach of all the women in my Country to convey my Body to the Grave; "and that has been my ambition when I was in my happiest situation in the world.

"I am your Lordship's, &c.

"B——rt, October. "(Signed) B——T."

No. CCLXXXVIII.

No. CCLXXXVIII.

Copie Memorandum to Mr Donald Fraser*.

Nov. 4, 1745.

THE President told me the reason he had sent for me was, that he knew me to be a zealous and an unsuspected friend to my Lord Lovat and his Family; that the last letter he had from his Lop convinced him that what he had wrote was misunderstood; at the same time, that in the present conjuncture, it was somewhat too delicate, to attempt to set the mistake to rights by a letter; that my Lord Lovat was pleased to construe the expression of his concern for the danger to which his person & family must necessarily be exposed, should the Master hurry away the Clan into the present Undertaking against the Govt, as a threatening; as if, after so long an acquaintance, he had not known my Lord better, than to think him capable of being bully'd; & that therefor he chose, by word of mouth, to deliver to me, what he wish'd my Lord should know & consider. He said, it was demonstratively clear, as far as demonstration could take place in such Cases, that no weight of interest whatsoever could prevail with the Govt to act gently with such as, contrary to their expectations, took Arms against them upon this occasion; that the errors of the Master would in all likelyhood be imputed; that a Parliament was sitting, which had already suspended the Habeas Corpus Act; & might proceed to make other Laws, the effects whereof could not easily be foreseen; that one step further than had been already taken would put things beyond any possible remedy, to him known, except a totall subversion of the Govt; which, as things at present stood, was the most unlikely of all events; that an immediate alteration of Measures, and the Master's desisting totally from his enterprize, considering his youth, could not fail to procure forgiveness, if the matter was properly represented; and that the Necessity of making such a representation now, or not at all, was what moved him to write to my Lord the Letter which his Lop misconstrued; that he is now to send off to London, by Sea, dispatches, in which the state of this Country must be described; that if my Lord shall not enable him to say any thing that is favourable, he must make the representation such as it is generally believed to be, & as it appears to him; that if my Lord would have him charge the Motions of the Clan upon his Son, he will give that Acct of the matter as received from his Lop, and will make every other representation for him, that shall be competent with truth and his alledgance; but that what would give him the greatest satisfaction would be, to be enabled by his Lop to assure the Govt that his Lop has quieted all the motions amongst his people that threatened to give any disturbance. He further said, that the Ship must sail in three Days at furthest; which was the reason why he was so earnest to see me; as any resolution that came thereafter would come too late.

The above is the Substance of the President's Communication to Mr Donald Fraser, for Lord Lovat.

No. CCLXXXIX.

Lord Lovat to the Lord President.

My dear Lord,

MY old Chaplain, Mr. Donald Fraser, is with me; who tells me, that he had the honour to see your Lop two days ago, and that you was so good as to express your kind and real friendship for my person and Family. I have great Experience of your Lop's generous friendship to me and to my Family, since ever I had the honour to be

* Chaplain to Lord Lovat.

known

known to yõu; and I do sincerely assure your Loꝑ, that while I have a minute to live, I will have a most grateful remembrance of your Loꝑ's goodness and your family's friendship towards me; and I'm still in great hopes, that in the present most cruel situation that I am in, your Loꝑ's friendship will appear more essentially for me than ever it did; since I have now more need of it than ever I had. As to my condition, the sincere matter of fact is, that whenever it was known in the Highlands, that the Venturer Prince, the Son of the Pretender, landed, a sort of Madness seized all the West Highlanders with ane eager desire of joining him. The contagion soon spread; it came at length to my Country; and many of my people, on both sides of Lochness, were infected wt it, and fully resolved to go off then, if my precise authority had not stopped them; which cost me a vast deal of trouble and pains, and to my chief doer Gortuleg; which I did communicate to your Loꝑ at that time. Foyers and Kilbokie, whose familys always used to be the leading familys of the Clan on both sides, were the maddest and the keenest to go off; and when they saw that I absolutely forbid them to move or go out of the Country, they drew up with my Son, and they easily got him to condescend to go at their head. The whole Gentlemen followed their example, and the Commons run the same way that the Gentlemen did; so that I was left a contemptible old infirm fellow in my House, and no more notice taken of me than if I was a Child; so that if I had been able to travel, I had not stay'd a Night in my House after the beginning of my Son's operation with his Clan; and this I told your Loꝑ in one of my letters. If that does not exoner me, I know not what can. Ane other strong argument your Loꝑ may make use of for me is, that I spoke and sent Emissaries to those that I thought had loved me most of my Clan; and in spite of my Son's endeavours, and his Captains, I have got a Regiment of good men to stay at home, and most of them pretty fellows, tho' some of them is betwixt 60 & 70 years of Age. So that, tho' I had ten thousand lives to save, I could do no more in this affair to save myself than I have done; and if the Government would punish me for the insolent behaviour of my Son tõ myself, and his mad behaviour towards the Government, it would be a greater severity than ever was used to any Subject. Since I have not strength to mount a Horseback and leave the Country, I am resolved to live quietly and peaceably in my own House, and be a faithful subject to the King, and observe & obey the laws of my Country. And to let your Loꝑ farther see my sincere Resolutions of encouraging no disturbance, but on the contrary to keep the Country peaceable and legall, I intend to list 200 of my Men that stays at home, and put pretty Gentlemen at their Head, that they may watch & guard the Country from all Robbers and Thieves, and loose men that come from the Highland Army; and to seize them, and to send them to Inverness. By this project I hope to contribute to the preservation and peace of the Country, as much as any two Independent Companies that are at Inverness. I hope this will not be disagreeable to your Loꝑ that wishes me and my country well. I know your Loꝑ has and will have more power than what would save me, and ten families like mine; otherwise the King and Government will be most ungrateful to you; for your Loꝑ has done more service to King George, and to his family and Government, than if he had ane Army of 5,000 men in the North. For if it was not for your Loꝑ's great Zeal, extraordinary and unheard of activity and fatigue, the Venturer Prince would have 10,000 before he went South, instead of Two; and with that number would have marched straight to London without any opposition. So that the King owes more to your Loꝑ on this occasion than to any subject in Britain; and I do assure your Loꝑ that the King's Enemies are very sensible of it; and that you are more obnoxious to their hatred and revenge, than any Man on Earth. I wish with all my Soul that you may always escape the fury of their resentment, till you are happily and gloriously out of their reach; for my good

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wishes will attend your Loꝑ wherever you are; and I have firm hopes, that your Loꝑ, who has saved the Government in the North, by bringing in so many brave families to serve the King, that you would be so good as to save one family that was always friends to yours, and an old infirm Man whom your Loꝑ saw behave well enough in the King's Service against the Rebells. I will truly expect this great mark of your Loꝑ's friendship; and I ever am, in all conditions of Life, with unalterable attachment, gratitude, & respect,

My dear Lord,
Your Loꝑ's most affectionat Cousin,
and obedient and most faithful humble Servt,

Nov. 6th, 1745. LOVAT.

P. S. Your Loꝑ must be informed, that my House and Green has been like a Market-place for sometime past; and my Son was such a fool, that he entertained and does entertain every man that he thinks favours his part, and he is ten times more master of this House than I am; but I have resolved from the beginning, and still continue firm in my resolution, let them do or say what they will, I will never black paper with them; and as soon as ever I am able to travel out of this house, I'll stay no longer in it; for I am downright killed with vexation of heart and spirit, to see my health much hurt, my family in danger, and any Money and Rent I have, foolishly spent and squandered away. There is no help for it; I must submit to Divine Providence. My Cousin Baillie James acquaints me, in a letter, that he has a young James. I give your Loꝑ and my Cousin Achnagairn joy. I love my Cousin Baillie James much, and I have a vast regard for his Lady, who I think has a great deal of Merit. Mr Donald Fraser & other two Gentlemen heard me say the strongest things this Day to my Son that ever a Father could say to a Child; but got no other satisfaction but insolent contradiction. The Earl of Cromarty & Lord M'Leod came here this Night, and a Battalion of the M'Kenzies crossed the Ferry of Bewly this Night, that he is to take South with him; and as many more of the Mackenzies will go South in a day or two; so your Loꝑ sees that the wise & worldly people of the M'Kenzies are infected; so that it's no wonder that the Frasers, that were never thought worldly or wise, should be infected with a Contagion, tho' never so foolish and dangerous. I pray God, that their Madness may not overturn my family; & I shall be very easy about the rest, either as to myself; or to my unnatural Son & Kindred.

No. CCXC.

The Lord President to Lord Lovat.

My Lord, Culloden, 8 Novr 1745.

I HAVE just received the Letter which your Loꝑ did me the honour to write to me yesterday, after conversing with Mr. Donald [Fraser]. The representation which your Loꝑ makes, I shall fairly transmitt, if your Loꝑ insist on it; thoꝰ with very great concern for the unhappy young man. But I should not act the part of that reall friend I have always profess'd to be, if I did not freely express to your Loꝑ my apprehensions that the account given will not answer the end proposed, & which I so earnestly wish, the preservation of your Loꝑ's family. The affection of your Clan, & their attachment to you, in the year 1715 & downward, will be remembered; it will not be easily believed, that your Loꝑ's Authority is less with them now, than it was at that time; it will not be credited, that their engagements or inclinations were stronger against the Govt, when the

the present commotions began, than they were thirty years ago when the Clan was at Perth. It will be alledged, that the people were not universally forward to enter upon the present spot of work; that many of them were reluctant, & some actually threatened & others forced into the service; & I do not know whether, if jealousy were to promote ane inquiry, many Circumstances might not come out which I choose not to think of, & hope never to hear of. These considerations, I must confess, fill me with great uneasiness, which I must ever feel when any danger threatens your Lop or your family, which my abilitys or interest cannot avert. My errand to this Country was, to preserve, if possible, the peace, & to exert the little credite I had with my friends & Countrymen to prevent their ruining their familys. I am vain enough to think, with your Lop, that my endeavours ought to give me some weight with the Govt, tho' far short of what you imagine. I doubt not at all but I should have interest to prevail with them to overlook the indiscretions already committed by the young Man; but should he actually carry away the Clan into the Rebellion, that very event would lessen the credite of my endeavours in this Country, & prevent the effect of any intercession on my part for your Lop, for whom my partiality is so well known to his present Majestie, from the days that he was Prince, & to such of his Ministers as were men of business in his Father's reign, when your Lop's interest stood in need of the small assistance I could give. I say not these things as declining to do your Lop every Service that a sincere friend & ane honest man, consistent with his alledgance, can perform; but to prevent your Lop's laying stress on my ability to serve you further than it truely can bear; & I do it the rather, that it appears to me your Lop does not at present see the necessary & naturall consequences of things with the same clearness of sight as heretofore; for example, to obviate all jealousy of your Lop's conduct, you propose to keep a guard of 200 Men, to watch & preserve the peace of the Country. Now tho' this (were the Clan to remain quiet at home) would be a very commendable purpose, and what the Govt would very readily bear the expence of, yet I submit it to your Lop, whether, if the rest of the Clan go into Rebellion, that guard can be looked on with a favourable Eye by the Commanders of His Majesty's Troops in this Country; & whether I should not draw even myself under suspicion, if I pretended to justify the keeping them afoot. For God's sake, my Lord, think of these things; & believe that what I express are the genuine sentiments of a considering man, & of a reall friend, who wishes nothing more earnestly than to pull you out of all your Difficulties. If your Lop understand what I now write as it is meant, I need no argument to persuade you, that I am your faithfull friend, & most obt humble Servt, &c.

No. CCXCI.

Lord Lovat to the Lord President.

My dear Lord,

I RECEIVED with the utmost gratitude and sincerest thanks the letter that your Lop did me the honor to write to me by the Bearer; and I beg your Lordship a thousand pardons for keeping him so long. But my House was so throng, by the Earl of Cromarty's being in it these three or four days past, and the Officers of his Regt, that are going South, and several other Gentlemen, that I had not a minute to myself till the Earl of Cromarty went away.

It's impossible for me ever to forget the singular marks of friendship your Lop has given me in these dangerous and troublesome times; and your most generous and kind friendship in your endeavours to serve my family, and to keep back that unhappy and

obstinate youth from going South, and engaging in ane Affair so very dangerous for his person and family. I have still hopes, when his eyes are opened, that he will have a true sense and acknowledgement of your Loᵖ's kind and generous friendship towards him; and for my part, my dear Lord, I do frankly assure you, that my gratitude for your Loᵖ's repeated acts of Goodness towards me shall last as long as my Life.

As soon as I received your Loᵖ's Express, I called for my Son and Gortuleg to speak to me; and after having made the strongest remonstrances, the returns I got put me into such a passion, that I had almost done ane unnatural thing that certainly I would repent of all the days of my life. In short, there is no retrieving of that mad young Man: he will go with all those of his Clan that he can get; but I am sure he will leave a great number of the best of my Clan behind, and all the Gentlemen past fifty; so that there is a very good Battalion left at home, as they pretend, to live and die with me. I can make no judgment of the Armys in the South, nor of their situation, for I never went the Carlisle Road to London; but if the troublesome Prince have near so good ane Army as his friends give out, it will be a very difficult thing for Marshall Wade to force them to fight in those hilly Countrys; for they are positive that he marched from Edinʳ with Eight thousand good Highlanders, besides those that are upon the Road to join him. He had several thousands of low Country Gentlemen, and Commons, that marched with him; and as their Game is desperate, they will certainly fight, especially the Highlanders, and beat double their Number of English Militia; even tho' mix'd by regular troops. So that the Fate of the next Battle is very doubious. Those of the Highland Party that were here are ridiculously uppish; they say, that if the Prince had stay'd eight days longer at Edinʳ, he was to send two thousand Highlanders, with a Train of Artillery, to demolish the Castles of Inverness and Culloden, &c. That he told those who were soliciting him on that affair, that as soon as he was anyways settled in England, he would send 3,000 men to chastize his Enemies in the North. They say, that the only thing brought him from Edinʳ was, the pressing Invitations he got from his friends in England; who begg'd of him to march up towards London, and that they would declare for him. So that he is in great hopes of success, tho' he should get no succours from France or Spain; which he says he is sure to receive, and expects them every day. They say, that there is another great Ship within these few days landed at Montrose with Money, Arms, and Ammunition, and twenty French Officers; and that they carried over a Man of great consequence, that wears a Star on his Breast. They say, that it is the Duke of Berwick, or his Brother, My Lord Fitz James. They are both Lieutenant Generals of the King of France's Army, and both of great reputation. Those Gentlemen likewise told me, that the Earl of Moray and the Earl of Lauderdale have gone into their Prince's Service. This is all the News and accounts that I could hear from them. I was both surprised and mortified, that in the letter your Loᵖ did me the honour to write to me before the last, you seemed not pleased that I should propose to list 200 good men of my Clan, that I have stayed at home, to preserve my Country or my person, if I was attack'd, and to take up all Thieves, Rogues, and Villains, and to send them into Inverness. I flattered myself, that this little project would have pleased your Loᵖ; but since it has not, if your Loᵖ and the Earl of Loudon will give me your words of honour that I will not be molested, or my Country, but that my person, and those of my Clan that have stay'd at home in spite of the Endeavours of my Son and his partisans, shall be safe in their persons and effects; then I will give, not only my word of honour, which is dearer to me than my Life, but any other engagement your Loᵖ pleases that is in my power, that six men shall not appear in Arms in my Country, except a very few that will be in the Hills to guard their Cattle. I humbly beg your Loᵖ may let

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me know if this proposition be agreeable to your Lop and to the Earl of Loudon; to whom I offer my most humble duty; for I would most heartily do any thing in my power to please your Lop; since I always am, in spite of all the troubles that happened or can happen, with a sincere attachment and respect,

My dear Lord,

Your Lordship's most affec^{t} Cousin,

And most obedient faithful humble Servant;

Beaufort, Novr 10th 1745. LOVAT.

No. CCXCII.

The Lord President to Lord Lovat, dated 11th Nov. 1745.

My Lord,

THIS morning I received your Lop's letter of the 10th, and observe with very great concern that you have not been able to prevail with the Master or his Advisers to relinquish their desperate course. If such ridiculous intelligence as the Highland Gentlemen entertain them with can be credited, it is vain for those, who sincerely wish they may recover their senses, to attempt giveing any information that should disabuse them; and therefore I shall not trouble your Lop with what I further hear and believe. Nor should I now write, but that it is just, to give your Lop all the satisfaction I can with respect to your proposition for the security of your person, and of your people who remain, and their effects; concerning which I could say nothing w^{t}out the consent of the E. of Loudon, who commands his Majestie's forces in this Country. And as to the first, I easily prevail'd with his Lordship to agree, that neither your person or family shall in any degree be molested, unless express orders come from the Gov^{t} for that purpose, which I hope and pray may not be the case; but as to your people, I have not succeeded so well. He says, he is certainly inform'd, that violence has been used to drag men out of their Beds into the Rebellion; & that by the terror of destroying their cattle & effects, others have been prevail'd on to list: in those circumstances, he insists he cannot be answerable to suffer such as have been guilty of those practices to remain quiet, neither can he abstain from attempting to fetch those, who left the Country, back again by the same means which prevail'd with them to march; but he promises to give no disturbance to any Gentleman, or Commoner, who in 8 days shall return; nor to the effects or family of any man who has not by himself, or some of his Sons, join'd in the present Rebellion. I wish I could give your Lop a more satisfactory answer, because I have the strongest desire to show that I am to yourself & your family a reall friend & Servt, &c.

No. CCXCIII.

The Lord President to the Marquis of Tweeddale.

My Lord, 13th Novr 1745.

THE last letter I had the honour to write to your Lop was of the 10th of Octr by the Glasgow Man of War that carried E. Loudon to this Country. As his Lop brought some Money, & as we had some Arms at Fort George, orders were immediately issued for bringing such of the Independent Comp^{y} as were nearest, & as we could immediately arm, together: accordingly, a Comp^{y} of 100 came to Iñs of the Munro's the 23^{d} of Oct^{r}; one of the like number from the E. of Sutherland the 25th; one

one from Grant the 3d Novr; one from Ld Reay the 4th Novr; and ane other Company from the E. of Sutherland, of the same number, on the 8th of Novr: so that we are at present more secure from insults in this Neighbourhood than we were heretofore. When Loudon first arrived, we had our handsfull to do. The Rebells' successes at & near Edr, together with the numberless lyes that were told, had blown up the spirit of mutiny to such a pitch, that nothing was heard of but caballing, & gathering together of Men in the neighbourhood; every petty head of a tribe, who was in any degree tinged with Jacobiteism, or desperate in his circumstances, assembled his kindred, & made use of the most mutinous to drag the most peaceable out of their beds, & to force others to list by threatning destruction to their Cattle & other effects; whilst we were unable to give them any assistance or protection. Loudon was in ane open defenceless Town, with no more than 150 Highlanders of his own Regt, liable to the insults of a very restless neighbourhood; but his vigilance secured his handfull of men, & the peace of that Town, untill the Independant Compys arrived successively; & I was obliged to take more than ordinary Care of myself; as upon a notion which did me too much honour, that I obstructed more than any body the Rebells' game in this Country, they had formed a design of laying hold of me, which they attempted in the Night between the 15th & 16th of Octr, by attacking my house with a party of about 200 Men; but they were repulsed, & the attempt did them rather harm than good; as it was generally disaproved of by the gross of the Country. Whilst we were in this Situation, the zeal of the Jacobites exerted itself not a little: many Emissaries were sent Northwards from Edr; & amongst those, Angey Mac Donell, Glengary's 2d Son, who calls himself Colll. Mac Donald of Barisdale, & Mac Donald of Kanloch Muidart. By their industry disturbance was raised which we had not expected, & were not able altogether to prevent. Some Tribes, dependant on the Clanchattan, such as Macgilvray's, Mac Bean's, &c. began to stir; and notwithstanding all the means that could without force (which we had not) be used, march'd to the Southward to the number of about 200, & were as last Saturday got no further than Perth. The Frasers also, in the Aird & Strathharrick, that is, on the North side & South side of Lochness, began to stir, headed by the Master of Lovat, who had been debauch'd by those Emissarys, as the Lord Lovat affirms, & forced the Kindred to take Arms, much against his Lop's inclinations, & in defiance of his Authority. These Gentlemen began with blocking up Fort Augustus, by cutting off the communication betwixt it & Inverness, & with attempting to surprise me; & they have since proceeded to form themselves into regular Compys, which, it is said, will consist of ten or eleven, & may amount together to 5 or 600 men. Your Lop will easily believe I left nothing that was in my power undone to prevent, or at least to protract, their marching; and tho' I have not succeeded so as to make them lay aside their design, yet the means used have had such effect, that they have not as yet march'd out of this Country; & I have still some hopes, that if the additionall force, which we look for from Sir Alexr Mac Donald & Mac Leod, come in time, they will consider better befor they leave this neighbourhood. This commotion among the Frasers I did not look for; but what surprised me more was, ane intrigue, carry'd on by means of the E. of Cromerty, to debauch the Mac Kenzies from their Chief the Lord Fortrose, who is extremely zealous for his Majestie's Govt, & to draw them into Rebellion. This design was so well masked, that tho' I had severall hints of it, I could not give credite to them. The Earl visited me at this place full of the strongest assurances of zeal for his Majestie, with offers of all his Men to be employed in the Service; & tho' he afterwards declined accepting one of the Independant Compys, which I offered to his Son, yet he wrote me a Letter, assuring me, that his sole intention

tention in bringing Men together was, to make out his original Declaration to me; but when it appeared that he was acting in conjunction with Mac Donald of Barisdale, already mentioned, who was employ'd in forcing the Men of Assint and Lochbroom into the Rebellion, all means possible were used to disappoint the design. Barisdale miscarry'd in his project, & Lord Fortrose brought down some hundreds of his Kintail & Loch Carron Men, who bridled the Mackenzies with whom Lord Cromerty had been tampering; so that he has not been able to prevail with above 150 or 160 of them to march. With those he & his Son march'd last Saturday to Urquhart, on the North side of Lochness, with intent, as was said, to wait for the Frasers, & with them to march Southwards. Haveing thus given your Lop a sketch of the disagreeable, it is reasonable, in the next place, to give your Lop some view of the agreeable side of our situation. Lord Fortrose is as zealous as it is possible to be; &, but for the intrigue I have just mentioned, would have had his clan intirely unanimous. He has named Officers for 2 Independant Compys, & the men have hitherto been placed at Brahan Castle, & the neighbourhood, to prevent the operations of those that intend to foment the Rebellion. When there shall be no further occasion for that Service, they shall be disposed of otherwise; & his Lop has promised to furnish a 3d Compy. Sir Alexr Mac Donald and Mac Leod have been of vast use for preventing the growth of the Rebellion: their example & influence has done much good; & as the other Highlanders had flattered themselves with the hopes of their assistance, the disappointment exasperates them, & has made them vow revenge, which by all means possible must be prevented. Should the Highlanders, after they are repulsed, return in any thing like a body, they have had notice to furnish two Indepent Compys each; & tho' their Country is very distant, I expect them at Ins hourly. When that happens, we shall be able to check the Rebells' further recruiting. What has prevented the more early arrivall of those Compys, & retarded the raiseing of others, is, that till the arrivall of the Saltash Sloop of War, with the Tender that brought the Arms & some money, we could not set about raiseing more than we could arm & pay. That vessell, with the Tender, was, it seemes, detain'd at the Nore by order of the Admiralty, for Convoy, for 10 days after the date of your Lop's Letter to me of the 1st of Octr; & after she arrived at Cromerty, was prevented to come up to the road of Inverness by cross winds till the 31st; since which time she has been there, takeing in water, & waiting for the dispatches which she now carries. So soon as we were possest of the Arms, the necessary directions were given for bringing together the Compys I have already mentioned, with a Company to be form'd of the Rosse's of Balnegown, & ane other Compy of the Grants, besides some Compys more, which I am endeavouring to bring together for immediate service. When we are possest of this force, we shall effectually prevent any further recruiting for the Rebells, & dispose ourselves to do what, according to circumstances, shall appear to be further necessary to distress them. The service that seems to claim our first & earlyest attention is, the opening the communication with, & supplying Fort Augustus, which we shall set about immediately; & the next seems to be the delivering Murray, Bamf, & Aberdeen shires, from partys of the Rebells, who have come North to levy money & raise recruits in these Countys, under the direction of ane unhappy young Man, Lord Lewis Gordon: his Brother, the Duke of Gordon, has not been in good health for some weeks past, & has for that reason not been able to do that service to the Govt that might have been expected from him; but the Rebells have not had the least encouragement from him; & to that it is in a great measure oweing, that they make very small progress in recruiting in places where, in former times, multitudes would have joined them. We shall, however, soon find ourselves in a condition to send some Independt Compys that

way, which will prevent the opression that is felt in that neighbourhood, where I am glad to be able to assure your Lop, that, in place of what was impudently asserted by the Rebells at Ed^r, that all the Freeholders of Aberdeenshire, except four, had join'd them, of about fourscore Freeholders, who voted at the last Election for a member of Parliament, two only join'd the Rebells. After performing those services, we shall apply ourselves to do what shall, according to circumstances, appear to us the most conducive to the putting ane end to the present Rebellion, untill particular directions shall be received from his Majestie, or from those that have the Command of his forces; & to the end that we may receive these with as little loss of time as possible, I have prevail'd with Captn Pitman, of the Saltash, to make the best of his way to Newcastle; droping, if possible, Letters at Berwick for the Commander in Chief of his Majestie's Army in the North, giveing an Account of our present condition, & from Newcastle to forward the dispatches he carries, by land, to London by express. He agrees to remain at Newcastle, takeing in what provisions he wants, 8 or 10 days, untill he may receive dispatches from London for us, & then to return with them to this Country. I say he has agreed to those things at my request, because he does not appear to have had orders to follow such directions as he should receive from me; but, on the contrary, by his last orders from Captn Rodney, of the Ludlow Castle, was directed to return towards the Firth of Forth, & to take further orders from such superior officers as he should meet with. He has however, from his zeal for the service, agreed to what was proposed; & I have given him a letter to any superior officer he may meet with, requesting that he may be permitted to proceed in the execution of what he has undertaken. Now, that this may be effectuall, what I humbly suggest to your Lop is, that Captn Pitman be ordered by the Admiralty to proceed with such dispatches as he may receive from your Lop, from Newcastle to Inverness, & to receive directions there, from E. Loudon and me, or either of us. The necessity of haveing such a Vessell constantly employ'd between England & this Country, untill the communication is perfectly open, is obvious; and the reason why I propose Captn Pitman for that service is, besides his being a carefull officer, that he is now acquainted with this Firth, and can make better dispatch than any other. The Arms which the Saltash brought us are just 1500 stand; & those, with what we had before, is little more than sufficient to arm the 26 Independent Comp^ys, supposeing them to be compleated, & kept up to their present establishment. Now, as severall Kindreds in this Country have, on the present occasion, shown their Zeal for the Gov^t, & thereby render'd themselves obnoxious to its Enemys, it seems highly just as well as expedient, at this juncture, to trust them with some Arms, that they may be enabled to defend themselves as well as they can against any who may think fit to attack them; especially whilst the Comp^ys which they have furnish'd for his Majestie's Service may be employed elsewhere; & therefor I must humbly submitt it to your Lop whether it may not be fit, without loss of time, to send us down from the Tower some more Arms to be delivered out, as occasion shall require, from Fort George; upon the receipt of the respective Gentlemen whose Kindreds are to make use of them, obligeing themselves to return the Arms when required. Another thing which your Lop will think of is, a further supply of money. Ld Loudon brought some alongst with him, which has set us a going. The Saltash has brought £4000 of the money, imprest into the hands of Geo. Ross, as Agent for the Independent Comp^y. This is all the coin we have, to answer not only the pay of Troops, but all other incidents, which, considering our situation, & the tools we have to work with, must be numerous, and attended with some expence. We must, therefor, make use of the Cash we have, to answer all necessary purposes, without being confined

confined to its originall destination; & as all trade & credite is in these parts, by the interuption for so long a time, now at a full stand, what I humbly submitt to your Lop as fit to be done is, that some more money may without loss of time be by sea sent down to us, to be deliver'd to E. Loudon, or me, for the publick service, & to be accounted for. Your Lop may easily believe neither he nor I would choose to entangle ourselves with such ane account; but the thing seems necessary to be done, and we have now gone too far to stick at any thing that is for the service. Your Lop will observe, that unless the cash can be furnished at Newcastle, to come North with the Saltash, it must be sent from the River. I should be to blame, if I did not inform your Lop, that the E. of Sutherland has shewn a very becomeing Zeall on this occasion. The Compys that were expected from him were brought together, & join'd us without loss of time; & nothing in his power will, I am confident, be wanting to promote the service. Ld Reay sent us his Son, with a very handsome Compy; & the Munro's, whose situation is indeed the nearest, were, as your Lop will observe from the 1st paragraph of this Letter, the first that came in. What the Event of all our endeavours may be, I cannot foretell; but this much we have to say, that of the many thousands whom the Rebells boasted they expected from this Country, after their success at Prestonpans, & for whom they waited so long, no one, except Macpherson, of Clunie, & his posse, have as yet join'd them; & that, except those whom I have already observed to be in motion, & of whose proceedings I have at present no certain intelligence, no one will in all probability be able to stir from this Neighbourhood. The case of Macpherson, of Cluhie, is, that he had very lately a Captns Commission in the E. of Loudon's Regt; he attended Sir John Cope on his march to Ins, & was allowed to go to his own house for a night, in order to bring his Compy together, to join Sir John on his march. He was seiz'd by the Rebells that Night in his house, whether with or without his consent did not then appear, nor does it now, otherwise than as, after haveing been carry'd about with the Highlanders as a prisoner for some Weeks, he at last listed in their service, return'd to Badenoch, &, partly by perswasion, partly by violence, prevail'd with the greatest part of his Kindred, to the number of about 300, to go along with him to the Highland Camp, which they reach'd before the Rebells left Edr. I have great cause to ask your Lop's pardon for this very long, confused, & ill wrote letter, which I wish you may be able to read; but as I had a multitude of things to say of which your Lop will judge better than I can, what was, or was not, materiall to be made known, I chose, knowing your Lop's patience, to lay them all before you, that you may make the proper use of them. It's possible the Vessell may be detain'd a day longer; in that case, I shall, either by a postscript or a separate letter, acquaint your Lop with any thing material that happens.

I am, with perfect esteem,

My Lord, your Lop's most obt & most humble Servt, &c.

No. CCXCIV.

The Lord President to Mr (afterwards Sir Andw) Mitchell.

My Dear Andrew, 13 Novr, 1745.

I AM mortally tired with writeing a letter to the Marquis of ane immoderate length, & in a hand so like Arabick that I doubt your help will be wanted to decipher it; but it was impossible to make it shorter, and I am but a bad scribe; besides that, I have much more business on my hands at present to disturb my attention than I

should have had, if the Rebells had permitted me to go throw the course of the Session att Edr when I came first into this Country, tho' I was not just treading in the path of a Chief Justice. The prospect was very flattering, & the errand I came on had no appearance of difficulty; but the Rebells' successes at Edr & Prestonpans soon changed the scene. All Jacobites, how prudent soever, became mad; all doubtfull people became Jacobites; & all Bankrupts became heroes, & talk'd nothing but hereditary rights & victory; &, what was more grievous to men of gallantry, & if you will believe me much more mischievous to the publick, all the fine Ladys, if you will except one or two, became passionately fond of the young Adventurer, & used all their Arts & Industry for him in the most intemperate manner. Under these circumstances, I found myself almost alone, without Troops, without Arms, without money or credite; provided with no means to prevent extream folly, except pen & ink, a tongue, & some reputation; & if you will except Mac Leod, whom I sent for from the Isle of Sky, supported by nobody of common sense or courage. Had Arms & money come when they were first call'd for, befor these unexpected successes blew up folly to madness, I could have answered it with my head, that no Man from the North should have join'd the original flock of Rebells that pass'd the Forth; and even as it has happen'd, it is no small consolation to me, that, except Macpherson, of Clunie, whose force does not exceed 300, none from the North have reach'd them in time to march alongst with them Southwards from Edr; that no more than 200 of the Clanchattan have march'd, who had got as last Saturday no further than Perth; & that, notwithstanding the restless endeavours of the E. of Cromertie, the Master of Lovat, & others, no more than 150 or 100 of the Mackenzies have been debauched, & that even those have not as yet pass'd the Coriyarrig; no more than the Frasers, who, to the number of 5 or 600, have flock'd to Arms, & who possibly may think better, if the weather permitt the force which we hourly expect from the Isle of Sky to join us quickly, befor they leave their Country exposed. By this diversion, his Majestie's Army will have a much smaller body of Highlanders to deal with to the Southward, than otherwise they should have had; & if a small number of Troops could be spared from it, to take possession of Edr, & secure the foords on the Forth; as on the one hand, the small number of Highlanders that are marching towards Edr could not join their Brethren; so on the other, the retreat of those who march'd towards England would be cut off; but this, if practicable, has doubtless been done befor this time. As to the Indepent Compys, I have disposed of such of them as are hitherto given with the greatest discretion I was master of; following this rule, to bestow them on such as could be trusted, & could most quickly bring their Men together for the service. I shall have a dozen of them together soon, & some more in a little time; and in this operation I should have succeeded better, but for the folly and roguery of mankind, which finds many ways of exerting itself. You will naturally observe, that the cutting off the communication with the rest of Scotland confined the nomination of the Officers of these Companys to the North.

E. Loudon's Arrivall has been a vast relief to me; his skill & dilligence, join'd to patience and a very obligeing behaviour, must be of very great service to the Publick at this Juncture, when those talents are so much wanted, & so scarce. As I am pretty much fatigued with wielding the Pen, give me leave to conclude; but befor I do so, to put you in mind, that I have hardly seen a common London print for a month past; & that any thing that you may be pleased to entertain me with, in my Ld Marquis's packet, will come probably safe.

I am, my Dear Andrew, truly yours, &c.

No. CCXCV.

No. CCXCV.

Lord Lovat to the Lord President.

My Dear Lord,

I RECEIVED your Lop's most kind letter, of the 11th of this Month by the Bearer; and my heart is as full of thanks and gratitude as any Man's can be. I beg your Lop a thousand pardons for not dispatching the Bearer sooner; but the truth is, that I had almost died the night before I received your Lop's letter. I had taken, the night of the 10th, my vomit as usual; but I no sooner was in Bed, then I was seized with a most terrible stitch in my left side. I could not speak nor draw my breath, but upon the least movement I was tormented most horridly. I continued so all yt night, and am very little better ever since; so that I am in a very bad way. I caused rub some warm Brandy to my side before day-light this Morning, which has given me some Ease; or then I would not be able to dictate this letter; but my Stitch still continues; and if it does not go off, it will soon make an end of me; and then I'll be no further troublesome to my dear Lord President, or to any other of my friends; and the mad Youth will be then Lord Lovat, as well as Colonel of his Rebellious Regiment. I do assure you; my dear Lord, that I will not regret dying at this time, that I may not see the Evils that threatens my family, which was always regarded as ane honest brave family in this Country. I am very easy about my obstreperous and unnatural Son, and the mad people that feed him in his false ambition; but the thoughts and fears of seeing the honest Family of Lovat demolish'd and extinguish'd in our days, pierces my heart and soul with the most melancholy thoughts; which would be enough to kill me, tho' I had no stitch nor pains in my Body, considering what I have done and suffered to restore it, and bring it out of the hands of the Mackenzies.

I give your Lop a thousand thanks for speaking to the Earl of Loudon in my Favours. I would expect civility and friendship from his Father's Son, who was my good and intimate friend. It is certain, my dear Lord, that while you please, and the Earl of Loudon, I will be safe and unmolested in this little Hut; for the Ministry will never give a Warrant against me, or against any Man in this Country, but on your Lop's representation, or the Earl of Loudon's. So that, as long as I have the honor and good fortune of having you two my Friends, I'll fear no molestations in this troublesome and dangerous Conjuncture. As to my Clan, I wish with all my heart that the villains and rascals of them that were guilty of any illegal, base, and barbarous Actions were seized and severely chastized and punish'd; but I believe they are marched South, in the Regiment of that unhappy Youth, to screen themselves from Justice; and I would be very glad that the fifth Man of them were hanged. But, my dear Lord, as to the honest Gentlemen and Tenants that have stay'd at home for love of me, and for love of Peace and Quietness, it would be the hardest case in the world, that those honest people should be molested in their persons or effects, since they have done no harm, and that they are fully resolved to live peaceably & quietly with me in my Country, and be as obedient and submissive to the King & Government as any people in the North of Scotland; which I will answer for, or renounce any Protection to myself or to my people from the Government. I therefore most humbly beg, my dear Lord, you may save those poor people that staid at home for love of me; notwithstanding of the Threats and Menaces that was used against them.

As to what the Earl of Loudon says, of dragging Men out of their Beds, to force them to the Rebellion, it's what I never heard of, till I had the honour of his [your]

Lop's letter. I truly think it was not done in this Country, otherwise I would have heard of it; and I was told every day, that the Fellows was madly inclined themselves to go, without any Force. I was likewise told, that several young fellows from other Countrys came and offered themselves as volunteers to my Son, that he never saw before. As to the news that the Gentlemen of the Highland Army endeavoured to spread, they are so very foolish, ignorant, and ridiculous, that no man in his senses or judgement can believe them, or take notice of them.

Your faithful Servant, and my honest Relation, Tho' of Gortuleg, has been my Companion in Affliction; for he has been since Wednesday last lying in the next room to me at death's door, with his old cruel horrid distemper, an Inflamation in the Kidneys. He was let blood, which I believe saved his Life; for my friend Doctor Clark told me (who is much subject to that terrible Distemper), that letting much blood, when he was attack'd with it, was the only thing that saved his Life.

Gortuleg and I, sick as we are, offer our most affectionate and dutiful respects to your Lop; and I am, while I have any remains of Life, with unalterable Zeal & Gratitude,

My Dear Lord,
Your Lordship's most affectionat Cousin,
& most faithful Slave,
LOVAT.

Beaufort, Novr 14th, 1745.

No. CCXCVI.

The Earl of Stair to the Lord President.

My Dear Lord,

I HAVE not heard from you since your letter of the 11th of October, which came long ago by the Sloop. Since that time, many things have happened on this Side, of which I should have ben very glad, from time to time, to have talk'd to your Lordship; because I am very well assured, that your end and mine is the same; viz. the Greatness and Happiness of this Nation in general, and of our Country in particular; free from the little Views of Party, which have unluckily prevailed too much.

Till within these few days, I had not heard that the Sloops with Money and Arms were arrived at Inverness. Till they came, and till it was a little plain how the Young Pretender's Affairs were like to go at Edin', I suppose several Leaders of the Highland Clans would endeavour to keep themselves in a manner unengaged, that they might be the more at Liberty to follow whatever Party they should find most advantageous to themselves. At present, when the Nation of Scotland sees that the Young Pretender is unable, in the first place, to support himself at Edinburgh, and in the next place unable to force himself into England with any appearance of Success, I do not at all doubt but that you will find plenty of Highlanders, both to accept, and to fill up your Commissions; but you will soon foresee that you are to meet with Difficulties of another kind. As long as the whole was in great danger, there was no body found to say, that they were not very glad that your Lordship was in the Way, to struggle and to hinder the whole Highlands from falling into the Hands of the Pretender, and so, by consequence, their whole united strength to be brought to Edinburgh, in the Way to England, where the appearance of such an united Strength might probably have encouraged France and Spain to send very considerable Supplys of Money, Arms, and Men, to their Friends in Britain and Ireland, both by Diversion and otherwise. At present, when Things seem to be taking a different turn, much less dangerous to the Public, as to the overturning the whole Machine of our Government,

you

you will find that the great Question will be, not what is to be done, but by whom. This is what for some days I have foreseen; in the mean time, I am anxious to know the Steps that Lord Loudoun and you have taken, the number of Commissions that you have given out, and in what manner you have posted, and do propose to employ the Highlanders raised, and to be raised. I should think it might be in such a manner, as to cut the Communication between that Part of the Highlands where the Rebellion was raised, and the Pretender in the South. I should be very glad, when I have the pleasure to meet with You, to learn a great many Particulars relating to the Behaviour, both of the Clans and of particular persons in the Clans, which are subjects not proper to be freely treated of in Letters; and on my part I shall have a great many curious things to say to you. In the mean time, according to the best of my Understanding, I shall go on my Road straight; which, God knows, has no other End than the happiness and Independency of my Country, and of the King that governs us.

This letter goes by your Son, who sails from hence in a Sloop appointed to carry every thing that is necessary and ready for the E. of Loudoun's Regiment. Henceforth I hope we shall have a free Communication with Inverness, and the Country on that Side, by the way of Edinburgh. I am ever most faithfully and affectionately, at all times and in all places, Yr Servt

STAIR

I cannot send my Letter without telling you, that it is impossible to speak of you with more Esteem, Value, and even Friendship, than his Majesty has done of you frequently.

London, 18th Novr 1745.

No. CCXCVII.

Sir Andrew Mitchell to the Lord President.

My Lord, Whitehall, 19th Novr 1745.

SINCE I had the honour of yours of the 10th October, I have with the greatest impatience expected the return of one of the Sloops that sailed with Arms, &c for Inverness on the 7th October. Soon after I had the pleasure of your letter, a report was spread here, that you had been atacked in the night between the 16th and 17th Qbr by about two hundred of the Frasers, and that your Lop was actually a Prisoner in their hands. I need not tell you what concern this gave me in particular, because, in general, every body that wished well to the present establishment appeared affected with the news, and the loss of you was considered as the loss of the Northern part of Scotland. We were in a few days relieved from this anxiety, by the accounts of the defence you made from your house, & of the Rebels failing in their attempt. I will not pretend to guess who was at the bottom of this infamous scheme, because I am morally certain, that without the consent, & perhaps contrivance, of a certain person, whom no tyes can bind, nor no favours oblige, that Clan had never dared to endeavour to seize your person. I need not describe to you the Effects the surrender of Edinburgh, & the progress the Rebels made, had upon this Country. I wish I cou'd say, that they were confined to the lower sort of people; but I must fairly own, that their betters were as much touched as they. The reflections were national; and it was too publickly said, that all Scotland were Jacobites; the numbers of the Rebels and their adherents were magnified for this purpose; and he that in the least diminished them, was called a *secret jacobite*. Your Lop, I think, is the only person that has escaped this national scourge; but if you have escaped this, you have been attacked from another

another quarter; the particulars of which would be so like scandal, that I am ashamed to write them. Some people now begin to see that they have gone too far, and been too severe; for, after all, considering the unexpected and great success of the Rebels, it begins to be matter of surprise that they marched from Scotland only 7000 or 8000 strong, & being joined by almost nobody of note, is likewise a proof of the Jacobite interest being by no means so formidable as it was represented. I will not trouble your Lop with accounts of any thing that has happened in Scotland, as you will probably be informed of them before this can reach you.

Last Saturday, it was said, there was an end of the Rebellion; for, the bravery of the Mayor of Carlisle had obliged the Highlanders to retreat to Brampton, 7 miles N. E. of that town; & that they wou'd certainly disperse immediately. This gave great spirits, even to some in high rank; but all this brave defence happened to be no more than the firing a few cannon from the Walls on an advanced party that came to reconnoitre; for they returned the day after, and the town of Carlisle capitulated on the 15th, to pay £2000 to avoid being plundered. The 2 Companies of Invalids, and some of the Militia, have retired into the Citadel, under Colonel Durand. On the news of the Rebels investing Carlisle, M. Wade proposed to march from Newcastle on Saturday the 16th to Bywell, on Sunday to Hexham, Monday to Grindon, and on Tuesday to Haltswesel, which is about 9 miles from Brampton. He has with him 10 English and 8 Dutch batalions of foot, and 2 Regts of Horse, and one of Dragoons; but I hardly believe the Highlanders will stay for him, unless they should think fit to attack him on his march.

Sr John Ligonier sets out to tomorrow; the Rendezvous of his troops to be at Litchfield on the 25th. He has with him 9 old Batalions, 2 Regts of Dragoons, & part of his own Regt of Horse. I send your Lop a paper enclosed, with the names of the Corps. I am sorry I cannot at present give an exact list of the staffs, as there has been chopping & changing among them.

The raising of 13 new Regts of foot, and 2 of Horse, has occasioned great debates and division in the H. of Commons, and some severe reflections against some of the noble Lords who are to command them; tho' it is certain, that no Job was intended by those who made the first proposal; but your Lop knowes this Country too well to believe, that in the time of public danger any man would attend to his own private advantage. What gave most disgust was, the insisting for rank to the Officers of the Corps, which is certainly a hardship to the Officers in the Army; but that too was carried, with great difficulty, and some Art, in the House of Commons. For the numbers in the Division, I refer you to an inclosed copy of the most material questions that have yet been moved in Parliament.

Your Lop will likewise observe in the same Paper, that an enquiry into the Causes of the progress of the Rebellion in Scotland has been moved for; and tho' every Man in the House agreed as to the reasonableness & necessity of it, yet it was thought improper to begin it while the Rebels were actually in possession of Edinburgh; but I hope the time will soon come to have that matter cleared. The Advocate, I hear, spoke well on this occasion.

Mr. H. Campbell has lately moved for a Bill to indemnify the Judges for the Court of Session for not meeting on the 1st of Nov', &c. I can find no Act of Parliament that subjects them to Penalties; but he seems to have taken Scotland under his protection. It is delayed for 10 days, and surely never can pass in the shape it now is.

Affairs in the House of Commons are not now carried on in the manner they were when your Lop sate in Parliament; their proceedings now are like the operations of an Army composed of different nations, where all the leaders must be satisfied; and

where there is properly no Commander in Chief; tho' the influence of some be great, yet in many points they must yield to their new Allies, &c. In the Cabinet, I fear, there is as little harmony as elsewhere; the consequence of which must be, an unsteadiness of Councils, and want of all scheme or plan of action. By this the publick must unavoidably suffer; and all the opportunities of doing good that may arise, even from our misfortunes, will be neglected. But I hope your Lop will seriously think of this matter, and give your opinion of what may, of what ought, to be done for our distressed Country. I am thoroughly sick of publick life from what I have seen, and what I could not have believed had I not seen it.

I took the liberty to mention, in one of my former, Mr H. Gordon, who goes along with Captn Forbes, on purpose to offer his service. His Brother says he can raise Men in Aberdeenshire; and if your Lop has not already filled up the Commissions, I once more recommend him to you. He has made a campaign in Flanders, and is a deserving young man; and I have a great regard for his Brother & him.

As it is now very late, I shall not trouble you with an Apology for the length of this. My Lord Tweeddale desires his Compliments, but delays writing to your Lop till he hears again from Inverness, which is expected hourly. I beg leave to offer my Compts to Lord Loudon; and I hope you will continue to believe,

My Dear Lord,

Your's affectionately,

ANDr. MITCHELL.

P. S. If I had not lived long enough in England to know the natural bravery of the people, particularly of the better sort, I should, from their behaviour of late, have had a very false opinion of them; for the least scrap of good news exalts them most absurdly; and the smallest reverse of fortune depresses them meanly.

No. CCXCVIII.

The Lord President to Lord Lovat.

My Lord,

I HAD the honor of your Lop's letter of the 19th, with an account of your Son's proceedings in Urquhart, according to the Information you had received. That account gave me no small surprise; and I must confess to your Lop it would have given me no small satisfaction if I could have depended on its being true; because it would have been evidence of the Master's giving up the desperate cause into which he had been unhappily seduced; and so early a change, before any considerable mischief was done, would, I should hope, in a reign so clement as what we have at present the happiness to live under, obliterate the past errors of a youth, whose want of years and experience might make him an easy prey to designing men. But then, my Lord, before I can permit myself to receive any real pleasure from this prospect, or to depart from the resolutions with which I acquainted your Lop in my last, I must be thoroughly satisfied that the Information your Lordship received is true; that the Master has return'd to his duty; and that all the men who had been brought together are return'd to their habitations. Of the certainty of these things your Lop must be sufficiently inform'd before this time; and I have hitherto defer'd writing to your Lop on that subject, that you might be able to satisfy me. I now give your Lop the trouble of this Message, begging that, without loss of time, I may know what I am to believe and rely on in respect to those matters; to the end I may proceed in my resolutions, or vary them according

cording to circumstances; and on supposition that the men have been dismissed, and are return'd to their homes, what security I am to expect, that they shall not again be assembled to give further disturbance to his Majesty's Government? That this may be effected with as little inconvenience to them, or disturbance to your Lordship, as possible, is what I earnestly wish; because I am, &c.

Inverness, 22 Nov. 1745.

No. CCXCIX.

Lord Loudon to Lord Lovat.

My Lord, [Nov. 1745.]

THE first part of the letter which you did me the honour to write to me the 22d, acquainting me that all your people had return'd to their homes from Urquhart, where they had been alongst with your Son, protecting the tenants of his Cousin the Laird of Grant from the Macdonell's, who are in Arms against the Government, gave me much pleasure; because I expected, before I had done, to have read that, to so good a step, the Master had added one more, the abandoning that ruinous Enterprise into which his youth had suffer'd him to be dragg'd, and the giving all reasonable satisfaction that the Government should meet with no further disturbance from your Lop's Clan. But I must confess, my Lord, I was somewhat surprised, that a letter which began so hopefully, should conclude with apprehensions that your Son may still persist in his mad project, and draw numbers of your kinsmen, with whom he has twenty times more to say than your Lop, allongst with him; and notwithstanding all this, hoping that I will not blame your Lop, nor harrass your poor Country, or begin what your Lop calls the cruel part of the war in it.

That even to your Lordship there appears to be danger that this unhappy young man (for whom I have all the compassionate concern possible) may draw the greatest part of your clan after him into the rebellion, lays me under an absolute necessity of trying to prevent it, *coute qu'il coute*; for I cannot answer the suffering a body of men, who have been in arms attending a young Gentleman, whose avowed purpose it is to lead them against his Majesty; to assemble again in the like manner. My duty, and the oaths I am under, forbid it; and I am confident of your Lordship's inward approbation; as you are under the same oaths.

As to what your Lop writes, of beginning a cruel war in your Country, it is the thing in the world the furthest from my thoughts. The people have no more to do, to be absolutely safe, but to be quiet, and to give me reasonable satisfaction that they will continue to be so; but if they put or continue themselves in a warlike posture, it is they that begin the war against his Majesty; and it is just they should expect the consequences; for, to tell your Lop the truth, when a Kindred is illegally assembled, as your Lop's has been frequently of late, to draught men, some for marching directly to make war upon the King, and others for staying at home to protect their Country, the distinction between these classes of men, in point of guilt or innocence, is too fine for me to perceive. And, were it the case of any clan other than your own, for whom your Lordship has so warm an affection, I am persuaded you would no more relish it than I do; and tho' it be your own, when your Lordship recollects how barbarously they use you, in siding with your Son against you, to the imminent ruin of your family, and even to the danger of your person; should the Government entertain suspicion, and give orders on account of their conduct, I should hope your Lop will not feel for their sufferings, should that, because of their obstinacy, be the case, so much as you do at present. But what I flatter myself w^th, because I earnestly wish it,

is,

is, that all this may be prevented by their remaining quiet, and giving me reasonable satisfaction that they shall continue so; the nature of which I hope to have your Lordship's ultimate thoughts of, in answer to my last of the 22nd; at least, in answer to this; for which I shall wait till ———; unless what I am inform'd of, that the Stratherrick people continue assembled in two different places (notwithstanding of what your Loꝑ has assured me of), shall be confirmed; or that there shall be fresh gathering of men in the Aird. In either of which cases, your Loꝑ will, I know, excuse me for doing what my duty requires of me; because when that does not absolutely interpose, it will be a great satisfaction to me to shew how much I am, &c.

P. S. I am sensible of the confidence with which your Loꝑ treats me, when you open to me some of the incidents that have lately happen'd in your private life; and am very sorry for such of them as have proved cross. From the great concern which the President expresses for you and your family at this very time, I should have imagined you never gave him any offence; and I am sure, if you did, none of it sticks with him; from my Lord's behaviour, I collect the same disposition towards your Loꝑ; and as I am well inform'd your Loꝑ and he were in perfect friendship some weeks ago, and as you have not suggested what it is he has done of late to give your Lordship offence, I cannot imagine what he has to answer for; but should be glad to know it, that I may contribute to remove what I am confident can be no more than a pure mistake.

No. CCC.

The Lord President to Lord Lovat.

My Lord, Nov. 1745.

I HAVE the honour of your Loꝑ's letter of the 14th inst. and am sorry to be obliged to say, it has not given me the satisfaction I expected; the protection, however, given to your Loꝑ and to your Family shall be exactly maintain'd, unless express orders to the contrary come from the Government; which may come by a Sloop of War which I look for soon from the River. I have learned with no small concern, that considerable numbers of your Lordship's kindred have at last left their homes, and are in their way Southward, tho' they have not yet marched many miles off; and I have received certain information, that violence & severe threats have been used with some of them, before they could be prevailed with to go allongst. Now, as my duty absolutely requires my endeavouring by all means possible to prevent the junction of these Men with the Rebells, and as my wishes are strong to prevent the destruction of these Men, by bringing them back to their duty before it is too late; I find myself oblidged to march into your Loꝑ's Country, with a body of his Majesty's Troops, to lay hold of such as have been accessary to the stirring up the rest; to endeavour, by the same means that have been used to force them into the Rebellion, to draw them off from it; and to take an account of the names of such of them as I shall not find at their homes; to the end, their return to live again in quiet, after they shall have given all the disturbance they can to his Majesty's Government, may be for ever prevented. And as no Man is more deeply concerned to have those inconveniences obviated than your Loꝑ, or better qualifyed to obviate them, by letting the unhappy Men timeously know their danger if they do not immediately return to their homes; I have presumed to give your Lordship this notice of my resolutions, previous to the putting them in execution; that as little harm may happen to your Lordship or to your people as is possible: and I shall look for a precise answer from your Lordship to what I now have the

honour to acquaint you with, by to-morrow, because I cannot be answerable to defer useing the means that are in my hands any longer. It will give me great satisfaction, if the step I now take shall be the mean of preserving your Lop, and your People; and this pleasure I shall have, even if it miscarry, that your Lop must be satisfied I have done all in my power to avoid extremitys; and that I am, &c.

No. CCCI.

To Simon Fraser, Master of Lovat, (afterwards Gen[l] Fraser). By H. F. *

My dear Master, Culloden, 1st Dec[r] 1745.

I AM not certain that it is safe for me to correspond with you; and yet I must, because I love you, and evidently see you pulling destruction upon yourself, your family, and your aged Father; who cannot retire; and who is by your act to be brought under that suspition, which may make it necessary to seize: the immediate consequence whereof may be, the putting an end to him; and, by your carrying away his People, is rendered unable to secure himself against suspition or seizure. These consequences, if I know you, your nature abhors; and it is that you may give some attention to them, I trouble you with this letter. Your principles, if you have not very much dissembled with me, did not force you upon the course into which you are at present engaged; and I take it for granted, nothing but the expectation you have, by your declarations, raised in those who sollicited you to act in the prevailing folly, and the apprehension of dishonour to ensue upon failing in the fulfilling those expectations, urges you to do what your father must have so just reason to complain of. Now, dear Sir, without enquiring by what means you came to be induced to engage so far, by what fictions, falsly published and credulously believed, and without mentioning the state of your experience, on which such an imposition has been put; give me leave to ask you, if, as a philosopher (for such every man, that meddles with politicks, ought to be able to justify his actions to), you can acquit yourself, for answering any rash engagements which you may have been insidiously drawn into, at the expence of unavoidably destroying the Father that gave you breath, and that immediately; ruining such of your kindred, as may be mad enough to follow you; and losing, in all appearance for ever, the opportunity of doing good to your kindred and to your Country, which your birth intitled you to. For God's sake, my dear Master, think on what I suggest; and be perswaded that, all circumstances considered, this could not come but from your reall friend.

No. CCCII.

Lord Lovat to the Lord President.

My dear Lord,

I HAVE had many proofs of your Lop's sincere friendship for my person and family; but there was never a period of my Life that made me so much the object of Compassion as I am at writing this letter. My very Enemies, if they knew the unsupportable Griefs of my Soul this Morning, must sympathize with a Man so disconsolate and void of Comfort. I dare not descend to particulars. My Son has left me under silence of last Night, contrary to my advice, contrary to my expectations, and to my

* Perhaps Hugh Forbes.

earnest

earnest request; and the consequences of his doing so are to me terrible beyond expression; tho', I declare, I could not have done more to save my own Life and the Lives of my Clan, as well as the Estate of Lovat, than I have done, by smooth and rough usage, to detain him at home.

This is a subject so melancholy, that I can neither write nor talk upon it; and therefore I have sent the Bearer, who has the honor to be known to your Lop, to make a faithful report of the uprightness of my Conduct in this matter; and I hope your Lop will give credit to what he says. I pray God, your Lop may meet with no Event in Life so disastrous and afflicting as this is to me; and that you may live long in perfect health, as the honour of your Country, the support of your friends, and the Comforter of the afflicted; and, whatever happens to me in Life, I shall always continue with unalterable Zeal, Gratitude, & Respect,

My Dear Lord President,

Your Lop's most obedt, most obliged,

& most faithful humble Servt,

Beaufort, Decr 1, 1745.

LOVAT.

No. CCCIII.

The Lord President to Lord Lovat.

My Lord, Culloden, 2d Decr 1745.

YOUR Letter of yesterday, which was delivered to me this afternoon, gave me infinite concern, as it shews me too evidently to what hazard the act of that rash (but in my opinion deserveing) young man exposes not only himself & your kindred & family, in a very little course of time, but even your person; for which he of all mortalls ought to have the greatest regard; & that immediately. You never did, as far as I have seen your correspondence with the Earl of Loudon, absolutely engage that the Young Man should not play the fool; nor that severall idle people of the Clan might not follow him; but by your Letter of yesterday to his Lop you took the merite of dispersing some of his Companys, & prevailing with severall of his Officers to remain at home. Now, my Lord, supposeing the Master should actually march; and that, notwithstanding those hopes given, any considerable number of the kindred should attend him, without mentioning what Orders may come from above, upon the report of their arrivall at Perth; what do you think my Lord Loudon must instantly do, who may look upon himself as duped by the security into which the hopes flung out by your Lop drew him, & may apprehend the severest reprimand, for haveing suffered himself to be lull'd asleep by the fair words given by your Lop, whilest he had 1300 Highlanders at Ins. & 200 not far from it, ready to prevent the March of any numbers to join the Rebells. I will not say to your Lop what service my advice may have been of for your Lop's protection hitherto; but I should not act the part of ane honest man, if I did not tell you, that, however strong the inclination may continue to be, the power may fail, if the Master, with any number of the kindred, pursue the course which you mention; & should the Master, for a whim, prove so unnaturall, the kindred that dare presume to follow him, leaveing your Lop exposed to misfortunes inevitable in so advanced ane age, will be of all monsters the most ungratefull, considering what you have done & suffer'd for them. I wish I could prophecie; & I would fairly tell you, what would become of the Master; but as I cannot, I must be silent upon that subject, since I have not Authority to say he will be safe, & I would not mislead; but if my earnest wishes do not mislead me, I should hope much will be

indulged to his years, if he carry the matter no further than hitherto he has done; tho' if matters go further, & he should stand in the class with those that are now at Perth, I cannot answer for what may happen, not only to him, but to the Estate to which he is the presumptive heir, tho' your Loᵖ was intirely out of the question. I have mention'd severall things to the bearer, which he will relate to your Loᵖ. All that I shall say further is, that I doubt whether your Loᵖ wishes safety to yourself & your family more really than does

Yours, &c.

No. CCCIV.

Lord Lovat to the Earl of Loudon.

My good Earl,

YESTERDAY I had the honor of your Loᵖ's letter of the 2ⁿᵈ of this month; wherein you are so good to acquaint me of the march you then intended, and have since made to Fort Augustus; and that your Loᵖ had suspended your march to the Aird, and was resolved to put my people of Stratherick under no hardship in your way through that Country. This instance of your Loᵖ's moderation lays me under fresh obligations to you, which I would as gladly repay had I ane opportunity, as at all times I shall gratefully acknowledge them; and till that opportunity fall in my way, I hope you will be so just, to look upon me as a man attached to your Loᵖ by all the ties of gratitude and respect. I hope your Loᵖ met with nothing in Stratherick to provoke you to depart from your friendly purpose with respect to that country; and, without provocation, I know your Loᵖ has too much goodness to do it. It's true, there are some Rascalls belonging to that place, who deserve the worst of treatment for their misconduct; and there is some of that stamp even in this Country; but, as I have often said to your Loᵖ, I hope you will never think that misfortune a sufficient reason for distressing the rest, and much less to fix any load of blame on me, who had no more accession to their faults than the Child unborn; but, on the contrary, have used, and shall continue to use, my utmost endeavours to keep them and all the other people upon my estate within the bounds of their duty. I must acknowledge, indeed, that I have not had that influence with them that I expected; but still, my Lord, the greatest and better part of them have listened to me, and I hope will allways do.—The information of my Son's having left this house came, it seems, to your Loᵖ's ears sooner than it did to mine; for, I declare to you, with unfeigned sincerity, that I neither suspected such a thing, nor had the least whisper of it, till the forenoon of the day next after that in which I had the honour to write last to your Lordship; and when it was told me, I declare, before God, I was thunderstruck with the dismall report. I have not yet been able to learn what influenced him to take that step, nor the views he may have form'd to himself from it; but this I dare affirm with truth, that not a man of the Companies I dispersed have either gone to him, or expressed [an intention] of doing it; so that in this last particular your Loᵖ's informers are injurious to me and to these people.—What he or they may do, my Lord, I cannot take upon me to answer for; as I will never report to your Loᵖ any more than the bare truth, nor undertake for any thing but what I am sure to accomplish; but this I still affirm as a truth, that I dispersed two or three companies, and took the promises of their leaders in the manner I inform'd you in my last. Thus your Lordship sees, that you have no reason to accuse me of any mask or design in this matter; and I am extremely sorry that you should listen to any calumnious stories that my enemies have hatch'd, to make you think so ill of me.—I know your Loᵖ has too much penetration and knowledge to be blinded by

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any man: I hope you believe that I am neither fool nor knave enough to attempt it. No, my Lord, my intentions are honest and upright towards all mankind; and it is my misfortune, and not my fault, if theirs are not so with regard to me; so that I beg your Loꝑ may not give ear to those wicked insinuations against me. The report brought me by the Gentleman of my name that waited of your Lordship Sunday last, of a conversation 'twixt your Loꝑ and him, gave me great concern, because I observe, that the malicious accounts brought your Loꝑ by my enemies gain too much ground with you. It has been my misfortune to be traduced and calumniated thro' all the stages of my life; but my dear Earl of Loudon I thought was among the last men on earth would listen to these calumnies; and I still hope your Loꝑ will not. My instructions to this Gentleman were, to communicate to your Loꝑ the situation of this country, and the conduct of my son and myself; and as he knew every particular of that matter, I am sure he would have given you ane honest account of it, had your Loꝑ listened to him; but I am sorry that the informations of others seem to gain more credit with your Loꝑ than mine do. However, I have ordered ane other Gentleman, who is equally well known in the situation of the country, and the integrity of my conduct, to wait of your Loꝑ, and give you a faithful account of both; and I beg your Loꝑ may rely upon what he shall tell you: his name is Mr. Fraser, of Gortulegg, who has the honor to be very well known to my Lord President. Whether in Adversity or Prosperity, I shall allways subscribe myself, with a most sincere zeal and respect, my Dr Earl of Loudon, your Lordship's most obedient, most obliged, and most affectionate faithfull humble Servt and Cousin, LOYAT.

Beaufort,
4th Decr 1745.

No. CCCV.

Sir Andrew Mitchell to the Lord President.

My dear Lord, Whitehall, 7th Decr 1745.

AS I send this by post to convey our monthly intelligence, I shall not venture to give any answer to your's of the 13th of Novr, which I received last Saturday, till I have a safer way of conveying it to you.

On the 30th Novr, the Provost was taken into custody. I hear, Ch. Smith is likewise in custody. The Rebels were last Wednesday, the 4th, at Derby; the advanced Guard of his R.H. was to return to Northampton in order to get before them as last night. M. Wade is at Doncaster. All your friends are well, and wishing to hear of & from you.

As soon as the present hurry & alarm is over (which is indeed too great), a Sloop will be sent to - - - - with every thing, I hope, that you desire.

I ever am, most truely, Your's, &c.

A. M.

We have been alarmed wt reports of Invasions from France; but I think there is now reason to believe, that the preparations were not made as was said: our own apprehension & fears are our most powerful enemy. Who could have believed what has happened?

No. CCCVI.

Professor Maclaurin to the Lord President.

My Lord,

I TAKE the opportunity of saluting you by Mr Grant, who goes to offer his service to your Lordship. He has been employed in a Military way these ten years; and I hope

hope and intreat that his being Son to your cousin german may be no prejudice to him at this time. I believe you may depend on his fidelity, and that he will be found to deserve your consideration.

If you have curiosity to know my history these last three months, take it briefly as follows. As soon as the Danger from the Rebells seem'd imminent, I left the Country & continued in Town, endeavouring to promote the spirit that began to appear amongst the Gentlemen, in hopes it would have been raised likewise amongst the burghers & trades. I was amongst the first Volunteers, & signed for a Dozen of the Town's Regiment. The Care of the Walls was recommended to me, in which I laboured night & day, under infinite discouragements from superior powers. When I was promised hundreds of Workmen, I could hardly get as many dozens; this was daily complained of; redress was promised; but till the last two days no redress was made; and then it was late. However, the Town was in a Condition to have stood out two or three days against Men unprovided with Artillery, unskilful, & then ill armed; and there was a double expectation of relief; viz. from the Dutch, & Sir John Cope. On the fatal Monday I was loading the Cannon at the west port, & pressing the finishing of some works there, when, in a pack'd Meeting (400 Volunteers, mostly substantial burghers, being under Arms elsewhere), it carried to capitulate. When I heard of this, I called for the P—t for orders what I should do with the Cannon. The answer was, he had not time to speak to me. The case [which] had been often put to the Pr—t actually happened; for, Cope was off Dunbar, and could have been up on the Wednesday. The Monday Night, neither were the Towns' Arms carried to the Castle, nor did the Town stand on its defence till terms were granted; and therefore they had none, tho' by * * * * * 's Message it had been offered, that no Highlander should enter the Town; but there was a plain collusion.

After the Rebells were masters of the Town, I lived retired till they issued a Proclamation, offering an indemnity to such Volunteers as should make Submissions in 20 days. Resolved to make no submissions, I crossed the English border before the Days expired. At Newcastle, I had a pressing invitation from the Archbp of York to go & live with him till I should return to Edinburgh. I went there, & lived for some time as happy as was possible for a Man who had left his Country in such a Situation, and his family in it, behind him. I left York, with a view to overtake Mareschal Wade near Edinburgh; but on the Road, I found the Rebells had moved Westward, and had left the Way to Edinburgh clear. I travelled from Morpeth to Waller on the bad Thursday the 14th of November; and this Day, & the next two days, got the most dangerous Cold I ever had, from which I am not yet recovered *.

I have said enough of my own history. The Archbishop, secure of your fidelity and Zeal, was & is always anxious about you & your Success; and this Day I had a letter from his Grace, asking chiefly about you. I know you will have better accounts of Public matters than I can give you. Wishing you success, health, & all prosperity, I am with the utnost zeal & attachment,

My Lord,
Your Lordship's most obedient
most aff. humble servant,
COLIN MACLAURIN.

College of Edinburgh,
Decr 9th 1745.

* Professor Maclaurin never did recover from the effects of this cold.
His Son, Lord Dreghorn, erected a Monument to this eminent Man, upon the South Wall of the Greyfriers Church in Edinburgh, the Inscription on which has been much admired.

No. CCCVII.

Mr Robt Dundas, Solicitor General, to the Lord President.

My Lord, Edenburgh, Dec. 29th 1745.

THE enclosed Packets I have taken the liberty to enclose to your Lop; Mrs Whitney insisting to send her Caithness friends some whig preachings & pamphlets to strengthen their faith.

The Letter to her friend is sealed within: if your Lordship incline to read the printed papers, & then send them forward, they may be opened.

As a Boat is to sail tomorrow with an Express to my Lord Findlater from the Admiralty, ordering an Embargo to be laid on all Ships laden with provisions, I would not omit this opportunity of writing from this Country, especially as I do not know if your Lordship is any how acquainted with what is passing here.

The Duke of Cumberland having advanced to Newcastle under Line, the Rebels turned off to the left, & got the length of Derby; upon which, His R. Highness, by a forced march, got to Loughborrough, to prevent their going Southwards, which it was given out they intended. They then began to retreat with astonishing rapidity, & the D. pursued them with his Horse & Dragoons, & 1,000 foot mounted on Country Horses. The particulars of this Retreat are not worth mentioning, further than that the D. came near them at Lancaster, & drew up his small Army in expectation that they would have attacked him; but in the night time they went off. Between Kendal & Penrith, near to a small Village called Clifton, an advanced party of 60 Dragoons came up with them. The main body of the Rebels marched forward, leaving about 1,000 Macphersons, Camerons, & Macdonalds, who under the Command of L. G. Murray posted themselves along the sides of the Enclosures. Soon after, the D. himself came forward with about 400 of Bland & L. M. Ker's Dragoons, & part of Ligonier's Horse, &, dismounting some of his Dragoons, attacked them, & put them fairly to flight. A good number of them was killed, wounded, & taken. The D. lost 9 Dragoons, and about 20 or 30 wounded. The Highlanders got forward to Carlisle, where they left most of their Baggage, all their Cannon except three, & about 4 or 500 men, in Garrison. On Friday the 20th they passed the River Esk very deep, the Foot being to the neck in water, & several of them were drowned. They then marched in two Divisions; the one under Command of L. G. Murray, by Moffat, Lesmahago, Douglas, &c. to Hamilton, & thence to Glasgow. The other under Command of their P. & the D. of Perth, by Dumfries, Drumlanrig, Douglas, &c. being one day's march behind the others: The last of them entered Glasgow on Friday Afternoon, & continued there last night when our latest accounts came away. They have done a great deal more mischief in their retreat, than when they marched up to England. At Dumfries, they demanded £ st. 2,000., of which they got 1,100., & carried off Hostages for the remainder; which is since sent to them. They likewise demanded 1,000 pair of Shoes; but, as there was not such a number in the town, they provided themselves by taking them off the feet of the Inhabitants in the Streets. They burnt and pillaged some houses at Lesmahago and Douglas, because the Country people had been active in laying hold of some of them going towards England, & particularly at Kenlochmoydart. We are here in great uncertainty, whether or not they intend us another visit. We have with us the two Battalions which came from Stirling on the Highlanders passing the Esk, with about 800 Militia from Glasgow & Paisley, above 500 raised in Edenburgh; & our Commanders have declared, that they are to defend the town, & ordered every family to take in some days' provision.

The number of the Highlanders is greatly diminished; & by the best accounts they are far from being 4,000 strong.

As to our Troops in England, Marechal Wade returns to London, & Lt Gen. Hawley is to command here; & we are assured, that one division, consisting of two old Regiments, will be at Berwick tomorrow, & will directly proceed for this place; & two other Divisions of the like number of Foot follow the first Class, & some Horse after them.

I had one came in this day from the D.'s Army who left it on Friday evening blockading Carlisle, that none might escape. The Garrison offered to capitulate, if they were allowed to march out Drums beating, &c.; which was refused. But the D. having got up some Cannon from Whitehaven, the Batteries were near finished, & it was thought that the Cannon would begin to play upon the Castle yesterday or this day.

This is a short account of our situation here; which will, I hope, daily turn better, once a few more troops come into this Country; & the news we have this day, of the Peace being concluded between the K. of Prussia & Empress with the K. of Poland, will likewise contribute to prevent foreign Invasions.

As I wrote in my last letter to your Lordship, that I only writ facts without any remarks, I shall trouble you no more on publick matters. With regard to my private concerns, nothing has for some time given me greater pleasure, than hearing from a Gentleman that dined with you on the 22^d, that you was in good health. I sincerely wish, my dear Lord, that it may continue amidst all the fatigues you are enduring for the Service of your Country; which, God knows, is a motive has little impression on some of us R—ls. I am, with the greatest esteem,

Your Lop's most obedient humble Servant,

RO: DUNDAS.

P. S. Just as I was sealing this Letter, there is a person come in from Kirkintedsal, 6 Miles from Glasgow, with intelligence, that last night at 12 the D. of Perth passed Calder Bridge with 100 horse & 100 foot, which is the Road towards the heads of Forth. A Highlander (he says) having lost his way came into Kirkintulloch this morning, & said the whole were to leave Glasgow to-day the same Route.

No. CCCVIII.

The Duke of Newcastle to the Lord President.

My Lord, Whitehall, 11th Janry 1745-6.

THE Marquess of Tweeddale having resigned the Office of one of his Majesty's Principal Secretaries of State; and his Majesty having been pleased to direct, that the Correspondence with Scotland should be carried on by My Lord Harrington and me; I could not but take the first opportunity of assuring you, that I shall have a particular pleasure in renewing a correspondence with your Lordship, with whom I have had so long an Acquaintance, and for whom I have always had so sincere a regard.

My Lord Tweeddale having laid before the King your Lordship's and the Earl of Loudoun's late letters to him; I have the satisfaction to acquaint you, that his Majesty was pleased to order, That 1,000 Stand of Arms should be immediately sent, as desired by you, with a Sum of Money for the Payment of the Troops. And the Lords Commissioners of the Admiralty were ordered forthwith to provide a Sloop for conveying them with the utmost Expedition to Inverness.

Your Lordship will have heard, that his Majesty has been pleased to appoint Lieu^t General Hawley, an Officer of great Ability and Experience, to be Commander in Chief of

of the Forces in Scotland. And I have this day an Account from Mr Hawley, that he was arrived at Edinburgh, and was making a disposition of his Forces. He will soon have fourteen old Battalions of Foot, and three Regiments of Dragoons, besides the Troops that have been raised at Edinburgh and Glasgow; and will also be joined by 4,800 Hessians that are ordered to land at Leith; which, with the Troops raised in the Highlands, will make such a Strength, as there is the greatest Reason to hope may, by the blessing of God, put an effectual and speedy End to the Rebellion.

His Majesty is persuaded your Lordship will correspond with Lieu^t General Hawley, and from Time to Time send him such Intelligence, and give him such Lights, as you shall think may be useful to him in carrying on his Majesty's Service; and that your Lordship will continue that Zeal, Activity, and Vigilance, which you have so eminently exerted on Occasion of the present Rebellion, and of which his Majesty has the truest Sense.

I shall be always glad to receive your Lordship's Commands, and to shew myself, with the greatest Truth and Regard,

My Lord,
Your Lordship's most obedient hum^ble Servt,
HOLLES NEWCASTLE.

No. CCCIX.

Genl Hawley to the Lord President.

My Lord, Ed^r 12th Jany 1745-6.

I HAVE the favour of your Letter from Inverness; the others were forwarded by Express. I am a stranger to all occurrences with you, as well as to those parts. Were I not, I should not, nor don't now, pretend to give any Advice. I can only inform you how matters are here. I have been here five days; have brought up ten weak Battalions; I found two as weak, & much worse, here; two more will be up in two days, & a Reg^t of Drag^s (Cobham's) who can hardly crawle.

There is no Cannon yet come from Newcastle: the Train at Berwick, & that here, can neither of them move for want of ev'ry thing. Coll^n Campbell is at Dunbarton with 700 Men, I am going to push a post forward to Lithgow of 4,000 Men, & have order'd Coll. Campbell to come from Glasgow nearer towards Kilsyth. This will at least give us ane oppurtunity to drive Lord Kilmarnock from Falkirk; & then see what countenance they will have at Stirline; where they are, as I guess you'll have heard, ever since last Tuesday, preparing to attack the Castle, the Condition of which I can no ways as yet learn for certain; & all depends upon that. They are drawing all their People from the North, there, to make as large a body as they can. If we were in a Condition but to march, we should not mind their numbers *. Whether this motion of theirs will give you more Liberty, I am no Judge; but I know that Montrose is the most easy purchase that can be imagined, could you get there; but that I am no Judge of. 'Tis a favorite scheme of mine; but Stirline has defer'd all that from hence. The six Battalions of the Hessians are to come without the Horse to Leith; but are not yet come, nor no news of them.

* Genl Hawley had reason very soon to be convinced of his mistake in thus appreciating the Highlanders; as his Army (and the Dragoons at the very first onset) was thrown into complete confusion and retreat by them at Falkirk; tho' he had often boasted, that 2 Regiments of Dragoons were sufficient to ride over the whole Highland Army.

We have had a small brush with them yesterday at Airth, up the Firth, with 300 men in Boats; killed & wounded about fifty, with their Chief French Ingineer; cripled two of their Guns, burnt all their Boats; & hindered their transporting their great Cannon from Alloway for some days. The Marquis of Tweeddale has resigned. This is all the News I have to tell your Lop, & am, My Lord, your most obt humble Servt, &c.

No. CCCX.

Genl Wightman to the Lord President.

My L: P:—— Edinburgh, 22 Janry 1746.

I WROTE you last Week by the Vessel which the J——ce Cl—k dispatched to you. I know a digested genuine account of the late Battle will not only be agreable to you, but usefull; I therefore herewith send it you; and send this special Messenger with it, that I may ascertain myself of a Letter from you, and give you an Opportunity of writing to your friends with more Liberty than you can do under the J——ce's Cover, who, you know, loves to peep, and, like all Tyrants, is jealous of every one, even of his own tools. I send you also herewith a corrected copy of the Edinburgh Packet, which contains the Speech, printed A° 1725, in which I declare against Partyship in the strongest terms: In which Sentiment I still continue.

After having said this, you'l be surprized to hear, that I supped with Ld Arn——n when he passed through Newcastle, and am become acquainted with his Son the Sollicitor; and at the same time am declaredly antipode to the J——ce; in so much that I do not so much as see him, much less speak with him, on account of his misbehaviour to me when he was a Refugee at Berwick, notwithstanding the Civilitys I shewed him, and the Services I did him when he was at Newcastle; and this I do deliberately & resolutely, though I very well know that he is at present drunk with Power. The Marquis having demitted, the Duke comes into the same Situation he was in before the Patriots prevailed against Sr R. W——le; and consequently the J——ce is once more depute Vice Roy. He governs all: even H——y does not do little things which concern the Army without his concurrence: so that he is Generalissimo, to the great Damnage of the Publick. For instance, there lye 3 Ships on the ground at Boristouness, driven up by the Storm in which the Fox Man of War was lost, having Linen and Woollen Manufacture aboard to the Value of £25,000. Sterling. These have been in no small danger since the Battle, for want of a party of Men posted there, or at Blackness, where they would be in absolute safety from being surprized and overpowered. I applied to Gl H——y, who remitted me to the J——ce Cl—k. I sent the Master of one of the Ships to him with a Representation & Petition; whom he used rudely, on no other Ground, than that the honest Man has not thought fitt to truckle to Collector Mid—n, his tool, as having a suspicion of him as a J——te. I mention these things to you, that you may see the Necessity of your being here, rather than at Inverness; that you may cheque him, and apply some remedy to the present disorders here, and prevent some of his Blunders. This is the more needfull, that the Earle of Hume & his Brother are declaredly in opposition to the Vice Roy. The Sq—n is routed; and thus the whole nation is in the Opposition, his tools excepted. G: D: is still at London; Ald. Ridley wrote me lately, that he heard from a friend of his, that he was married; but I doubt it, and am more afraid of it's being true than of it's being false. I have written him pressingly to come home, and not squander his time in London, dancing Attendance to Gll Cope, tho' he has procured a pair of Colours to his eldest Son George by his means, without paying any Money for it.

I am

I am sorry to tell you, that L^d H——e and L^d Gl——n abandoned the Glasgow Reg^t on the Field of Battle, before they were formed, and fled as fast as the Irish Dragoons. G^l H——y is in much the same situation as G^l C—e; he was never seen in the Field during the Battle; and every thing would have gone to wreck, in a worse manner than at Preston, if G^l Huske had not acted with judgment & courage, and appeared every where. H——y seems to be sensible of his misconduct; for when I was with him on Saturday morning at Linlithgow, he looked most wretchedly; even worse than C—e did a few hours after his scuffle, when I saw him at Fala.

This is an odd scene of things, and altogether an unexpected occurrence; and will doubtless schock the K. & the M——ry, as wel as the whole English Nation, more than the Preston affair did; but does not at all schock me: I see no one bad consequence from it, unless H——y's disgrace be reckoned one; and I apprehend sev^ll good ones; such as the Duke's coming down hither, and our having an Army of 20,000 Men in this Country for some Months; to which I add G^l Huske's advancement, who is indeed an excellent Officer, and open, honest Man. I say this, because we commenced intimat acquaintance at Newcastle, which will continue during life; whereas I despised the Fop M——l, your old acquaintance: he has made his exit just as I expected. I only add, that Pottosi Affairs go on without intermission successfully; and I find ways and means to get a little money when nobody else here can do it. I give my humble Service to Lord Loudoun if he is still with you, and ever am,

My dear Friend,

W^t inviolable attach^t, yours,

R. W.

P. S. I^we under little apprehension of Stirlin Castle's being taken, if the Governor & Garrison do their Duty; and tho they get itt, they must quitt it on our Army's Approach. The Hessians are hourly expected, the thaw having sett the Transports at liberty, and the Wind & Weather being favourable. Let me begg of you to come hither as soon as you can; your coming will do an infinite Service at this Juncture. Adieu.

N. B. I must not ommitt to tell you, that a furious Storm of Wind & Rain arose critically, which blew directly in the faces of our Men when engaged in Battle, and prevented the pursuit of the Rebells. This I was opportuned accurately to observe; for I saw it coming, & put on, to get in to Boristouness ere it came on. This is providential, and looks w^t a bad aspect upon us; it is as if owr defence was departed from us, yea acted against us. Please pay the bearer out of public money, for I have none to spare.

No. CCCXI.

Sir Harry Monro, of Fowlis, to the Lord President.

My Lord,

I THINK it my duty to acquaint your Lop of the deplorable situation I am in. The Engag^t between the King's troops and the Highlanders on Thursday last, w^in a mile of Falkirk, proves to me a series of woe: There both my dear father & uncle Obsdale were slain: The last, your Lop knows, had no particular business to go to the Action; but, out of a most tender love & concern for his Brother, cou'd not be dissuaded from attending him, to give assistance if need required. My father, after being deserted, was attacked by six of Locheal's Reg^t, & for some time defended himself w^t his half Pike. Two of the six, I'm inform'd, he kill'd; a seventh, coming up,

fired a Pistol into my father's Groin; upon wch falling, the Highlander w^h his sword gave him two strokes in the face, one over the Eyes & another on the mouth, wch instantly ended a brave Man.

The same Highlander fired another Pistol into my uncle's breast, & w^h his Sword terribly slashed him; whom w^n killed, he then dispatch^d a Servt of my father's. That thus my dearest father & uncle perish'd, I am informed; & this information I can depend on, as it comes from some who were Eye-witnesses to it. My father's Corpse was honourably interred in the Church-yd of Falkirk by direction of the E. of Cromertie & the M'Donalds, & all the Chieffs attended his funeralls. Sir Robert's was the only body on the field on our side that was taken care of. Now, my Lord, you may easily conceive, all circumstances duly weighed, how dismal my situation is. I depend on y^r advice & assistance.

I am, with great regard,
Your Lordship's most obed^t Cousin & Servt,
HARRY MUNRO.

Edin^h
Jan. 22^d 1746.

No. CCCXII.

From the Lord President to ———

Culloden, 26th Jany 1746.

THIS day I had letters from Edin. dated Wednesday 22^d, from a Gentleman who was present at the Action at Falkirk on the 17th. He says, it began in the Afternoon, by the Highlanders marching up to attack the King's troops; that the troops, upon their Approach, marched hastily from their Camp to meet them, without their Artillery, which did not come up during the Action; that at the first onset, part of the Dragoons posted on the left were put in disorder, and some of the foot nearest to them obliged to reel by the Dragoons falling foul of them; but that the Foot quickly recovering themselves, and some of the Dragoons returning to the Charge, soon obliged the Highlanders who made this impression to retire. That the Highlanders advanced with a rapid motion, about 20 deep, to attack the Center, and put the first line in disorder; but the 2^d advancing, soon forced them to retire with great loss, and were pursuing them, when a vast storm of Wind with rain, which was ready to make their Firelocks unserviceable, together with the night's approach, obliged the General to beat a retreat. That when they came back to their camp, they found many of their Baggagemen and most of their Artillerymen gone with the Horses; amongst which last was one Cunningham, an Irishman, and an Officer of the Train, who, to avoid disgrace, has since cut an Artery; and then they took this Party off, retiring to Linlithgow, and from thence to Edinburgh the next day. This Gentleman says, the loss of the Highlanders, at the lowest computation, was supposed to be 1000; and that there were no more than 200 of the regular troops (who called out aloud to be led to another brush) missing. The Messenger who brought this letter, and who seems to be a sensible fellow, says, he also saw this Engagement, and describes it pretty much in the same manner the letter does. He makes the Loss of the Highlanders from common Report, and from his own opinion of the gaps he saw made in them, above double the number that is mentioned in the Letter. He says, the troops lost but part of their tents and baggage; that they carried alongst with them so much as they found horses to carry off; and that they burnt what they could not carry off on the field. He says also, that they nailed up the Field-pieces which they could not carry with them; and that they marched away with the greatest regularity, unpursued. He says, the Regiment of Militia under Lord Home behaved well,

well, and suffered a little, and that they retired alongst with the troops. He says, the Argyleshire Highlanders were, when he left Edinburgh, quartered in Queensferry and the neighbouring Farms, ready to march back with the troops, who have received a reinforcement of two Regiments of foot, and one of Dragoons; and he says, it was reported and believed, that Lord John Drummond, the Duke of Perth, & Lochiel, were wounded; the first dangerously, the last two slightly. He asserts, that the Preston prisoners, who were detained at Glamis, were rescued by a Gang of Maltmen and other tradesmen from Dundee, mixed with a multitude of Seceders, who pressed Boats to ferry them over the Water; and that he actually saw some of them at Edin^{r}, where, he says, the Duke of Cumberland, as well as the Hessians, were daily expected.

No. CCCXIII.

Mr. Corse to the Lord President.

My Lord,

I HAVE unluckily miss'd several opportunities of writing to your Lop̃ by Sea; partly owing to my having been in a very unsettled way since these troubles began; & the rest I charge upon W. Forbes, who omitted to give me notice when the Ships were to sail. I beg leave to return your Lop̃ my most sincere thanks for your recommendation in my favour to a Professorship in Glasgow; which has so far prevail'd, that I have seen a Letter from the Duke of Argyll to the Provost of Glasgow, that he had recommended me; and that some days after Mr Pelham told him, that his recommendation was to take place. I suppose you have heard something to the same purpose; so that, though it is not yet done, it looks almost as well as things of that nature can do. I mention this only to thank your Lop̃; for in such times these things ought not to be thought of. I wish they may have a good Historian; for, that about 4,500 Men should come from the remotest parts of Scotland, penetrate into the heart of England, fight battles, and lay siege to Castles, seems pretty odd, & must contain things worthy of our Curiosity. The little of it that I imagine fell w^{t}in my Ken I send your Lop̃; which, as it contains little more than the Newspapers, you may either read or lay aside.

The Highlanders left us the 1st & 2^{d} of November, & march'd for England; and a few Days after, both Ministrys, properly attended w^{h} the Gentlemen of ye neighbouring Counties, enter'd Ed^{r} w^{h} ringing of Bells & under a discharge of the Cannon of ye Castle; wch last Circumstance had near spoil'd the Cavalcade. They inform'd us, that Two Regiments of Foot & 400 Dragoons were behind them; which we thought very probable; & accordingly in Two Days they arriv'd, & were quarter'd within Ed^{r}, where the Troops have been constantly quartered since. As these Troops were but few, & the Rebels beginning to assemble about Perth, & it was fear'd they might lay hold of Ed^{r}, a project was set on foot to raise Militia at the Expence of the Country. The Burghers of Ed^{r} offer'd to raise & subsist for Three Months 1,000 Men. It was agreed that the E. of Home should command the Regiment; and he got a Brevet Colonel to command ye Forces to be rais'd at Ed^{r} and Glasgow. From this Time the Ld Justice Clerk took the management of affairs. Ld Home went to Glasgow, & I was desired to go along with him, where in ten days a Regiment of 600 Men effective was rais'd & march'd to Stirling at the expence of the Inhabitants. The two Regiments of foot lying at Ed^{r}, & about 50 dismounted, were sent thither. The foot were not above 600 Men, including incorporated Straglers from ye Regiments which had been at Preston. We had been there about ten days or a fortnight, amused w^{h} Storys of ye Highlandlers being shut up in Lancaster; when at last the true intelligence came, & we

were

were all order'd to Ed^{r} about the 21st of Dec^{r}; & were to have gone to Berwick, if they had come to Ed^{r}. We were in some apprehension, between Stirling & Ed^{r}; for the march was forc'd in less than 24 hours; but, luckily for us, they took the Road to Glasgow. That place was in no small consternation; the Militia was gathered into the Town; they had about 1,200 stand of Government Arms, & Blakeney had promised to come to their Assistance. But upon the Troops & their own Regiment marching to Ed^{r}, they sent their Arms to Dunbarton Castle, and submitted. The Rebells entered the town on Xmas day, lived at free quarter, & new cloath'd their Men at the Town's expence, which amounted to about £8,000 excluding the £5,500 they had paid before. They stayed there only ten days, & then mov'd to Stirling, for fear the Troops, which had then begun to arrive at Ed^{r}, should get between them and their friends; and likewise to lay siege to the Castle of Stirling, where they made a very poor figure.

The Troops were march'd to Ed^{r} by Detachments of Two Regiments at a Time; & with one of the last arriv'd Mr Hawley, who, upon his coming, enquir'd for the Provost and ye Judge Advocate, & caus'd immediately two pair of Gallows to be set up; one in ye Grass Market, & the other between Leith and Edin^{r}. This was his first Exploit. His Army was to have consisted of 14 Battalions, Cobham, & Mark Ker's, Hamilton, & Gardner's Dragoons, besides the Glasgow & Argyleshire Men. But so soon as he had got 12 Battalions together, w^{t}out any other Dragoons than Hamilton and Gardner's, he sent five Regiments of foot & the Dragoons on to Lithco, & the Glasgow Regiment to the Queensferry; whose approach was so sudden & unexpected, that they had very near surprized 1,500 of the Rebels at Lithco, who retir'd immediately to Falkirk. This motion, made upon the Monday before the Battle, was generally disapproved of, because we then knew if all the Highlanders were join'd; & it was thought to be exposing almost ye one half of the Army to the Enemy's whole force, who might have surprised them by a night march, when they were at too great a Distance to be supported from Ed^{r}. However, nothing happen'd; and next day three more Regiments were sent to support them; & on the Wednesday three more, with whom, M. Gen^{ll} Husk march'd on the Thursday to Falkirk, & encamp'd on the North side of the Town, the front of the Camp towards Stirling; & the same Evening he was join'd by another Regiment of foot, with ten pieces of Cannon, from Six pounders to a pound and half. The same Evening Mr Hawley arriv'd at Callendar House about 8 o'Clock at night, & turn'd me and some more of us out of our Beds. He left that place, & went to the Camp about 5 o'Clock of the Morning; about 9 o'Clock we were join'd by about 800 Argyleshire Men & Cobham's Dragoons, who had march'd from Lithco that Morning; & then the whole was together; viz. 12 Battalions of foot, w^{ch}, to the best of my computation, might show in the field, one with another, about 400 Men a-piece. Three Regiments of Dragoons about 200 a piece. 800 Argyleshire Men; in which were three Companys of Ld Loudoun's, & one of Ld John Murray's; besides the Glasgow people, who then were about 700 strong, & tolerably disciplin'd.

The Highlanders lay behind the Torwood, having left about 800 Men before Stirling, 300 of which were French-Irish, as some of these Men told me themselves. I am pretty sure the Army they led on that day to the Batt^{e} did not much exceed 5,000 Men of all kinds. *Causa Scientiæ* when I was at Stirling, I saw Mr Blakeney's Intelligence, & the people who gave it were mostly Glasgow people; which made them on the North Side of Tay about 2000 strong, to which I add 500, as an allowance for what accession they got after we left Stirling. On this side they were counted at Glasgow by 18 different people, whose accounts ran from 3,400 to 3,900.

About 10 o'Clock Mr Hawley went out to a little eminence on the left of the Camp, & 500 yards nearer the Enemy, to reconnoitre the Grounds between our Camp & ye Torwood;

Torwood; where I heard some of the Officers say, they saw them moving on this Side of the Torwood Southwards. This proved true; though I saw nothing, neither did Mr Hawley. However, about eleven o'Clock we got the alarm, & in a very short space were all under Arms, & remain'd so a quarter of an hour. Then we found out it was a false Alarm, & we all turn'd in again, & went to look out for Dinner, which was not easy to be found; & after it was found we got no time to eat it; for a little before two the last Alarm came, when the Enemy was within a Mile & a half of us. I never was used to these things; but I was surpriz'd to see in how little time ye regular troops were form'd (I think in less than half an hour) on ye left of ye Camp, in two Lines, with the Dragoons on ye flanks; all fronting the South, & just along the side of the high road leading to Stirling; the Road in their front, & Falkirk on their left. We all thought that there we were to wait for the Enemy, who was now plainly in view, coming along the hills from the South-west. Mr Hawley, it seems, had another notion; for no sooner was the Army form'd, than he marched them straight up a steep Hill wch lyes to the South-west of Falkirk, in two Columns; in order, I suppose, to gain a large Moor which they say is on the top of that Hill, & wh may be so for me, & I believe for His Excellency too; for neither of us saw it, at least before the action. All the Dragoons were sent on before, & form'd upon the top of the Hill; and there the Action began.

The Argyleshire Men, who had been quartered out in ye neighbouring Villages, & could not be got so soon together, were posted, or posted themselves, on the right of the Army at ye bottom of ye Hill; our post was behind the two Lines of foot, & to the left; & we had got something more than two thirds up the Hill when ye firing began; upon wch we form'd there, but not in very good order. Our Cannon, that was to have been in the front, stuck fast somewhere about the bottom of the Hill; & indeed no force could have drawn it up to the top. The Highlanders' first Line (as I was told, for I could see nothing almost yt was done on the top of the Hill) outstretch'd our Left considerably; their right, I saw, did not pass the Centre of our Line of foot. The Dragoons being all on our left, helped to lengthen our first Line, and there the affair began. Certainly, while the foot was marching up the Hill in Columns, & the heads of the Columns had just reach'd the top of the hill, & the rest marching up as hard as they could, running & quite out of breath wh the fatigue, the Dragoons charg'd very briskly; but upon receiving a very sharp popping kind of a fire, they went off. I believe they suffer'd a good deal; for in one part of them nearest us I saw day light through them in several places. When the Dragoons were beat, ye right of the Highlanders chasing them (as they took straight down the Hill among the foot) appear'd upon our flanks. The flanks of both Lines gave way, down to the Centre; and then the whole first Line went off, all running down the Hill, except Ligonier's Regiment of foot, which was quite on the right, and near the bottom of the Hill. Lt Col Stanhope, a fine lively young lad, a brother of Lord Stanhope's, fac'd that Regiment (wh was not quite 300 Men) to the Hill, & stood alone for near 5 Minutes, till Barrell's Regiment, of about 400 Men, came out of the 2d Line & join'd them, and there the first stop was made. The enemy, instead of following in where the Troops gave way, wh they might have done, took it into their heads to stretch their left down to the bottom of the Hill; in doing of which, it was so warmly received by these two Regiments, that they all scampered up the Hill again. Genl Husk formed a pretty strong Line of foot by rallying the runaways at the bottom of the Hill; & then they all march'd into the Camp, not in very good order.

The great storm of Rain & Wind wch began about ten minutes before the action had rendered their arms useless, & wet all the Soldiers Cartridges; so the Baggage Horses

were order'd to be loaded (few of them were found), & the Tents to be burnt. Three pieces of Cannon were drawn off by the Soldiers; the rest were left, because the Artillery Guard had fled, and the Country people had cut out all their Horses. As to the Glasgow Regiment, we march'd up the Hill very stoutly; when the firing begun on the top of the Hill which was out of sight, we seem'd a little too attentive to it; & when some of the fleetest of the Dragoons came down among us, we did not at all like it. In a little, about 60 Dragoons of Hamilton's came down the Hill in a body at the Gallop, & carry'd off about a Company of our people; among whom I was, & would then have given my life for a shilling. Some of us they rode over, and some of us ran and rode so well that we got quit of them in about 5 or 600 yards, w^h^ the utmost difficulty. I turn'd up the Hill again, after being disengaged, but saw the Glasgow Regiment no more. Those whom I could most trust told me, that they got a fire from about 70 Highlanders, who immediately retired up the Hill a little, and then came down again with about 200 more, & gave them another fire; upon which they return'd a few scattering shots; then fell into confusion, & finally ran away. They had an Officer & 18 Men kill'd; some wounded; three Officers & 26 private Men taken Prisoners. This was pretty well for Militia; & there are but 2 Regiments of foot that have any title to reproach them. The Argyleshire Men were not engaged; however, a good many of them fell into the Enemy's hands; one whole Company in particular, commanded by one M^c^Neil. That same night the Army march'd to Lithco, & next Day to Ed^r^, where we were much insulted by the Jacobites.

This is my Account of the Battle: part of it I saw, & part I took from others, which corresponded with what I saw. It lasted but a short while, as I believe all actions with these people do; but why they did not use their advantage, & enter where the Troops were broke, sword in hand, as is their way; & in the next place, why they did not pursue when the Army marched to Lithco, when all fire-arms were useless; is not to be comprehended. They cannot, in all human probability, ever have such another opportunity.

The faults on our side seem to be obvious to common sense; but there may be excuses for them, according to the art Military.

Had it been fair Weather, I believe the Troops would have beat them at last, notwithstanding all the disadvantages they were laid under; & greater could not be. I'm told the Duke has alter'd the method of fighting with Dragoons on the flanks; & in his line of Battle he has thrown them with ye Irregulars into the Rear. What has happened on this side since His R. Highness came down, Captain M^c^Kay can inform your Lop; & as the scene is shifted nearer your Quarter, you will know more than we. I wish to God you may not know too much. They would fain persuade us here, that they are dispersing; but the Duke's staying at Perth does not look like it. Your Lordship's friends are in great apprehensions here; as they may do a deal of mischief before the Troops can come up with them. We can see no help for you, but shipping, in case they do come in a body; & we are not sure that you have that at hand. We form many schemes for your safety, & are very anxious; as, by their discourse here, you was the chief object of their resentment; especially when they came back from England; for it was their fixed opinion, that with the M^c^Donalds & M^c^Leods of Sky, the M Kenzies & Frazers, they might have been Masters of London, had all these joined them soon enough; the failing of which they place to your Lordship's account. However, we hope for the best. One thing we are all agreed in; that if you escape the Dangers of War, your health will not be worse for the want of a Winter Session. Lord Elchies begins to languish; the want of a Summer Session upon ye back of this *hiatus valde deflendus* would certainly finish him. What is become of poor Rattray God knows.

I try'd

I try'd to get his friends to send for him to Glasgow; but, after mature deliberation, & consulting w^h the Doctor, they resolv'd to let it alone. He is the only Gouster & Ruffian that is with them. Ld Balmerino is dead; & Peter Boyle talk'd of for his Successor, at the Duke of Queensbury's request. Our Glasgow Regiment is disiniss'd; & we are now upon a scheme of petitioning for reimbursement of the town of Glasgow's fines; which if we bring to bear, I must go to London, though I have no great hopes of succeeding. If your Lop has read thus far, it may be reasonable to suppose that you are sufficiently tired; so I take my leave, with assuring your Lop that I am, with the greatest truth and respect,

My Lord,

Your Lordship's most obliged obed^t humb. Servant,

Ed^r 15th Feby 1746. WILLIAM CORSE.

No. CCCXIV.

The Young Pretender's Protection for the House of Culloden.

CHARLES Prince of Wales, &c. Regent of Scotland, England, France, and Ireland, and the Dominions thereunto belonging; To all his Majesty's Officers Civil or Military.

These are requiring you to protect and defend the House of Colloden and furniture from any insults or violence that may be done by any person or persons, except such Orders as are issued by us. Given at Inverness, 28th Feb. 1746.

By His Highness's Command,

JO. MURRAY.

No. CCCXV.

Pass and Protection from the Earl of Cromertie.

By GEORGE Earl of Cromertie, Commander in Chief of His Royall Highness Charles Prince of Wales's Army, North of the River Buley.

These are requiring all Officers of His Royall Highnesses Army, and all others whome it concerns, to allow all & sundry the Heritors, Tenants, & Possessors of the Shire of Ross that are employ'd in carrying their farm Meal, to pass to & return from Inverness to their respective homes, without any molestation to theirselves, Servants, Horses, &^ca; hereby certifying that such as countervene these, or give them disturbance of any kind, shall be highly culpable, & punish'd accordingly. Given at Dingwell, this 7th of March 1746.

CROMERTIE.

No. CCCXVI.

Lord Reay to the Lord President.

My Lord, Edin^r 28th April 1746.

I WISH this may find your Lop & Earl Loudoun safely arrived at Inverness. I have been very anxious about you since you left Sutherland: meantime I judge it's agreable to you, that you was not disappointed in the confidence your Lop put in some of your Friends. You'l have heard of the threatning Letters I had from the Earl of Cromerty; which, as I could not follow my men thro' the Hills in case we had been attacked, obliged me to come up here. But I find the concert made at Tongue ere I

left it has had the desired Success, and his Lop has time now to repent that he did not take your Lop's kind advice. As my People were constantly on their Watch till his Lop was made Prisoner, and that the Rebells in Caithness hindered our getting seed from thence as usuall, I'm much afraid of Ley Land on my estate; and should my Son's Company be called out till Bear seed is over, it may do much harm & make it difficult in my absence to get out the best men, which would be the reverse if seed-time was over. This I leave to your Lop. My Sons will obey your Commands as far as they can. Pray make my Compliments acceptable to the Earl of Loudown. I am, with sincere Respect,

My Lord,

Your Lop's most obedient

most aff^te humble Servant,

REAY.

No. CCCXVII.

The Lord President to Mr. Pelham.

Dear Sir, Iris, 13 May 1746.

WITHOUT troubleing you with my Adventures for Nine Months past, which, so far as they may have been of service to the publick, you have probably heard of; and so far as they have been entertaining, may possibly hear of, one time or another, from myself: I come directly to apply to you as ane old friend, for whom you have often show'd more reguard than he had a just title to, on a particular occasion, which I shall in as few words as possible explain. When I first flung myself into this Country, to stop by all possible means the progress of the Rebellion, his Majesty's pleasure was signify'd to me, by the Marquis of Tweeddale, then Secretary of State, that I might supply myself with money, for extraordinary Services, by Draughts on you or on the Paymaster Gen^ll. That expedient failed by the totall interruption of correspondence. I made use of my own money, so far as I could come at it; & when that fail'd, I found people, who, tho' they did not choose to take Bills, lent me small sums on my own notes, which I employ'd for the publick service. The same necessity obliged E. Loudoun to take up money in the same way, & compell'd us both to employ the money that was sent down for the subsistance of the Indep^t Comp^ys, promiscuously, for their support, & for defraying the extraordinary contingent tho' necessary expences. This, you see, can only be set to rights by an account which it is impossible to settle, untill L. Loudoun returns, & has some leisure, from the expedition in which he is at present imployed in the highlands with the Indep^t Comp^ys which I put together. But what at present pinches me is, that, as tranquillity is restored by the glorious success of the Duke, the particular persons whose money I had at a pinch, when the service required it, demand with great justice re-payment; which, as I have not been accustom'd to duns, gives me some uneasyness. The sum they are uneasy about does not in the whole exceed £1,500. Now if you will be so good as to impress this sum into the hands of George Ross, who will deliver you this, to be remitted to me, to account of the extraordinary expences that have been layd out; or if you will authorise me to draw upon you, or any other person you think proper to name, for so much money to account of these expences; it will deliver me from a species of uneasyness, that I have hitherto been unacquainted with. The almost totall interruption of correspondence, & the extraordinary marches which I have been obliged to make amongst the Mountains, have hitherto prevented my returning any List of the names of the Officers of the new-raised Independ^t Comp^ys, & of the dates of their Commissions, which I am told is necessary towards forming an establishment for issueing their subsistance. I have now transmitted such a List to

M^r

Mr Geo. Ross, the Agent for those Compys, & have, by his R. H. the Duke's advice, reported the dates of the delivery of the respective Commissions, which was not done till after those Compys were compleat. It was his oppinion, that, on a fair representation of that case, their pay would be made to commence from an earlier period; to indemnify them, I mean the Officers, of the expence that attended the raiseing those Compys before their Commissions were delivered to them; & I doubt not this will appear reasonable to you also. I have touch'd both those subjects in a letter of this date to his Grace the Duke of Newcastle, of whose good will I have had many proofs; & I have full confidence that you will do what is proper to be done in them; because you know me to be, very faithfully, dear Sir, your most obt & most humble Servt.

No. CCCXVIII.

The Lord President to Mr. Geo. Ross.

Dear George, Inverness 13th May 1746.

MY peregrination is now over. Some account of my Adventures you surely have had from different hands. To give ane exact one is the work of more time than I can at present afford. The difficultys I had to grapple with were many: the issue, on the main, has been favourable; & upon a strict review, I am satisfyd with my own conduct. I neither know nor care what criticks who have enjoy'd ease in safety may think. The Commissions for the Indept Companys I disposed of in the way that to me seem'd the most frugall & profitable to the publick. The use they have already been of to the publick is very great; preventing any accession of strength to the Rebells before they march'd into England was no small service; the like prevention in some degree, & the distraction of their forces, when the Duke was advancing, was of considerable use; & now they are by the Duke employ'd, under the command of E. Loudoun, in Glengarry, & must be the hands by which the Rebells are to be hunted in ỹt recesses. My other Letter of this date gives the reason why the return of the Officers names, &c. was not sooner made. I hope the Certificate will be sufficient to put them upon the establishment, & to procure the issueing of money for them. The returns of the several Companys in the military way, E. Loudoun will take care of. What distress'd us most in this Country, & was the reall cause why the Rebells came to a head after their flight from Stirling, was the want of arms & money; which, God knows, had been long enough called for and expected: had these come in due time, we could have arm'd a force sufficient to have prevented their looking at us on this side Drumuachter. The men were prepared; severall hundreds assembled in their own Countrys; & some hundreds actually on their march. But, unluckyly, the Ship that brought the few arms that were sent, & the sum of Money that came, did not arrive in our road sooner than the very day on which the Rebells made themselves Masters of the Barrack of Ruthven. It was then too late to fetch unarm'd men from distances; it was even unsafe to land the Arms & the Money; so we were forced to suffer them to remain on board, & to retreat with the force we had, to preserve them for the further annoyance of the enemy. Another ill consequence the scrimping us of Money had, was, that, as there were a great many contingent services absolutely necessary, & as all the Money that could be raised on Loudoun's credit & mine, was not sufficient to answer these extraordinary Services; we were obliged to make free with the cash remitted for the subsistence of the Companys: this, at the long run, will come out as broad as it is long, when accounts are made up, & allowances made for the contingent expence; but in the mean time it sadles us with the trouble of settleing & passing an account.

If any one will reflect on the situation I was in, & consider what I had to do, he will soon be convinced, that the expence I lay'd out could not be small. So far as I could command Money of my own, you will easyly believe it was employ'd without any hesitation; & of that I say nothing at present; but when the expedient proposed by the Marquis of Tweedale, of taking up Bills to be drawn on Mr Pelham, fail'd, I had no resource but to take up money where I could find it, from well disposed persons, on my own proper notes. That Money so pick'd up was at the time of great service; & now that peace is restored, the Gentlemen, with great reason, expect to be repay'd. You can guess how ill I like a dun; & I should hope, now the confusions are over, there can be no great difficulty in procureing me a remittance, or leave to draw on Mr Pelham, or some other proper person, to the extent of the sum thus borrowed, which does not exceed £1,500. I have on this subject wrote to the D. of Newcastle, Mr Pelham, & Mr Scroope, whose letters you will forthwith deliver: to the Duke & Mr Pelham I have wrote also on the subject of the Indep^t Companys, & mention'd you as their Agent: if the £1,500 is advanced me, it must be to account; & I shall find it a very troublesome matter to make up that account, particularly, without great loss; tho' I can, to the meerest trifle, what in gross I expended for the service. So soon as the Duke leaves this place, which will be in a day or two, I shall move Southwards; so that your Letters for me must be directed to Edin^r; whether I shall remain there, or go further, I do not at present know. I am heartyly tired of the erratick course I have been in; but as the prevention of any future disturbance is a matter of great moment, & which requires much deliberation & some skill; if those on whom it lies to frame the scheme for that purpose imagine I can, with my knowledge of the Country, be of any use to them, I should not grudge the additionall fatigue of a journey; but it is not impossible their resolutions may be already taken. You may speak on this subject to my good freind the Soll^r Gen^ll, & shew him this paragraph; & shall be glad to know how he does, & if possible to hear from him. I doubt not you will look after the money article.

I am, Dear George,
Yours, &c.

LIST of Officers of the Independent Companys raised in the North; specifying the dates of delivering to them their Commissions, their Companys being then complete.

Captains.	Lieutenants.	Ensigns.	Dates of completeing the Companys.
George Monro Esqr	Adam Gordon	Hugh Monro	1745 October 23^d
Alexander Gun Esqr	John Gordon	Keneth Sutherland	—— D^o 25th
Patrick Grant Esqr	William Grant	James Grant	—— November 3^d
George Mackay Esqr	John Mackay	James Mackay	—— Novr 4th
Peter Sutherland Esqr	William Mackay	John Mackay	—— Novr 8th
John Mac Leod Esqr	Alex^r Mac Leod	John Mac Askill	—— Novr 15th
Normand Mac Leod of Waterstein Esqr	Donald McLeod	John Mac Leod	—— D^o D^o
Normand Mac Leod of Bernera Esqr	John Campbell	John Mac Leod	—— D^o D^o

Captains.	Lieutenants.	Ensigns.	Dates of completeing the Companys.
Donald Mac Donald Esqr	William Mac Leod	Donald Mac Leod	1745 Novr 15th
William Macintosh Esqr	Keneth Mathisom	William Baillie	—— Novr 18
Hugh Mac Leod Esqr	George Monro	Roderick Mac Leod	—— Novr 28
Alex^{r} Mackenzie Esqr	John Mathison	Simon Morchison	—— Decr 10
Colin Mackenzie of Hiltown Esqr	Alex^{r} Campbell	John Mackcrae	—— D^{o} D^{o}
James Mac. Donald Esqr	Allan Mac Donald	James Mac Donald	—— Decr 31st
John Mac Donald Esqr	Allan Mac Donald	Donald Mac Donald	—— D^{o} D^{o}
Hugh Mackay Esqr	John Mackay	Angus Mackay	1745-6 Jañry 6th
William Ross Esqr	Charles Ross	David Ross	—— Jañry 8th
Colin Mackenzie Esq.	Donald Mackattlay	Kenneth Mackenzie	—— Febry 2^{d}

Inverness 12th May 1746.

I hereby certify, that, pursuant to the trust reposed in me by His Majesty, Commissions were by me delivered to the Officers of the Independant Companys above mentioned, on the days also mentioned; and that these Commissions were not delivered until their respective Companys were compleat.

(Signed) DUN. FORBES.

No. CCCXIX.

Sir John Cope to the Lord President.

My Lord, Clarges Street, June 12th, 1746.

I AM afraid of intruding on your Lordship's time, yet must send my congratulations on the troubles in the North being (I hope) perfectly ended. All mankind in these parts did your Lordship justice in your warm, active, and sincere Zeal for the Government; and that all was done that could be done by man in your unhappy Situation.

The hardships I have and still do lie under is most cruel. I hope his Royal Highness from having seen the Country, and I flatter myself your Lordship and Lord Loudoun, have, in regard to my care and attention to the Service, endeavoured to put my Actions in a true light (and, indeed, I am informed your Lordships have done so); I say, from H. R. H. seeing the difficultys attending a march of troops into the Highlands, particularly in carrying provisions, &c. and hearing truth from some who were eye-witnesses of my Actions during that unfortunate Campaign, that he will not come up in the same opinion, as, from misrepresentations, had been conceived of me before he left London. Being unfortunate, in this Country, is a Crime in the mouths of the envious, and those who are ready to defame a man when fashion is against him. I have the Comfort of

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an honest man, that I neglected no part of my duty, and cannot reproach myself with any thing that ought to reflect on my Character. This has enabled me to stand the reproaches of others. I have been hardly and unjustly used by some of your Country, who I did not deserve it from, if truth only had been their guide (they being incensed at my having the Command in Scotland). I should not have wondered at their making use of truth; but false insinuations are base and cowardly, when made behind a man's back. I aſk pardon; I will have done upon this Subject. The friendship your Lordp honoured me with in Scotland intitles me to claim a continuance of it, since I know not an Action of mine which should forfeit it.

Four Battalions from hence, three from Perth, are ordered to prepare for Flanders, under the Command of Sir Jno Ligonier, M. G. Howard, Brigadr Mordaunt, & Douglas. St Clair's troops are embarked ready to sail on the expedition; ye 15 new-raised Regiments are to be forthwith disbanded. The destination of the Brest Squadron not yet known. Putting all these Circumstances together, people are amazed; and Lord Lonsdale has summoned the Peers, as this day, to consider of the State of the Nation, in order to oppose the sending abroad troops at this juncture, and the Lords are now in debate. Several mails are due from Holland, which *probably* will determine the above measures. The keeping Cape Breton, at all events, is become the favourite topick of the Town, and will become the *popular* cry for an opposition to work upon. To be sure, France is so subdued that we may make our *own* terms. If your Lordship has any commands in London for me, I shall gladly be employed. I have frequent opportunities of talking of your Lordship with Lord Harrington, who retains a high esteem of your Lordship's worth. I hear we have some probability of seeing your Lordship in London this year. George Drummond has been with me ever since we came out of Scotland; he is a perfect honest man, and one to whom I owe infinite obligations. He desires his best Respects to your Lordship,

I am with the greatest truth and sincerity,
My Lord,
Your most obliged & faithful humble Servt
Jno COPE.

Note.—Except in proceeding northward to Inverness, instead of falling back to cover Perth, Stirling, and the Forth, when the Pretender had crossed the Corriarick Mountain, Sir John Cope does not appear to merit censure: he was, in fact, a man of moderate talents, and not fit for the conduct of affairs out of the ordinary routine of business. It need not here be stated, how much mischief has been done by Generals of middling abilities, and fettered by antient prejudices, when opposed to men of genius unrestrained by obsolete theories.

No. CCCXX.

From Mr. Murdoch to Mr. John Forbes.

My Dearest F. Stradishall, 14th June 1746.

I HAVE this moment the pleasure, the long-looked-for pleasure of yours; for which I thank God, our gracious preserver. Mr B. writes me this very day, that he is only to make a jaunt to Holland for a Month or so, where my attendance may be spared: so when you return to England you may find me snug in my little closet as formerly. If you have time to call in, you know you are to quit the great road at Caxton, and the difference will not be above twenty miles; but, my dear, I beg you may not hurry yourself on this account, or let your impatience to see me interfere with your affairs. You seem to have a good claim to preferment, if you had any body to support it; and I think

I think you ought to bestir yourself. It gives me the greatest joy to hear that the worthy President has borne up under all his fatigues of mind and body. His life was always valuable to his Country; but we may now say, that he has saved it from Ruin and Infamy both. It is not to be imagined, how gross the ignorance and prejudices of people were, even of some from whom other things might have been expected. Almost every individual that had any relation to Scotland was looked on with an evil eye; but his character and behaviour supported our Spirits. We could show at least one Abdiel, whose faith the most wrong-headed themselves allowed to be uncorruptible. All this was most artfully and successfully fomented by the Jacobites, but will now I hope subside. Happy are you, my dear F. to have such a pattern to encourage and direct you. I make no doubt but you will closely copy him in all the essential parts of his Character; in Virtue, Honour, and Bravery. I have nothing to say of my own affairs; I pray for you all every day; and ever am, Dearest F.

Your's, P. M.

My Love to all friends, particularly M[r] W. Forbes, Hugo, G. Hamilton, & John Steil.

No. CCCXXI.

The Earl of Dunmore to the Lord President.

My Lord, London, June 18th 1746.

MY unhappy brother's being brought hither amongst the Rebells from Inverness, determines me, by the advice of all my friends here, to make the enclos'd application to His Royal Highness. After perusal of the Letter and Case inclosed, you'll be so good as deliver it; and should you think of any alteration proper or necessary to be made in the State of the Case, I hope you will be so kind as do it, and cause make a fair Copy of it. I have taken what care I can to prevent my Brother's tryall coming on till His R. H.'s arrival. And I flatter myself that you will have so far succeeded in your kind endeavours, as to make my part of it meet with that reception I so earnestly wish for. Some of your friends give me reason to expect your intercession will have success. Whether it has, or has not, your readyness in undertaking to serve me in a matter that concerns me so much shall always be most gratefully acknowledged by,

My Lord,

Your most obedient and most humble Servant,

DUNMORE.

No. CCCXXII.

The Lord President to Sir Everard Fawkner.

D[r] S[r], Edinburgh, 21st June 1746.

I SHOULD have given you trouble some time ago, on what makes the subject of this, had not his Royal Highness been expected in this Country before this time. Amongst the many fools whose guilt has made them debtors to punishment is M[r] W[m] Murray, E. of Dunmore's Brother; who, haveing surrendred, was carried prisoner to Inverness, & there I presume shipped, to be carryed to England in order to take his tryall. This Gentleman I know litle about, farther than that, in the Opinion of his Companions, he is a person of no great consequence to either side, & therefore I feel

no

no concern for him; but I confess to you, I feel very smartly for his brother Lord Dunmore, who must be brought under the most painfull uneasiness by the frenzy of this unhappy man. As none of the Brothers have issue, excepting this William, Dunmore looked upon his Children as his own, & destined the eldest for his successor in his fortune, as in time he must succeed him in his honoures; little dreaming that the Knight-errantry of his Brother, who by the bye shone in the Character of a civil officer only (never haveing been once tyed to a sword, or any other warlike weapon), would risk the corruption of his blood, & thereby intercept the descent of his (Dunmore's) honours to his nephews. Now as poor Dunmore, who detests his brother's treason, & must be infinitely provoked at his ungratefulness to him, as well as his undutifullness to the Crown, cannot submit to become an intercessor for so criminal a Brother; & as at the same time it must give him very great uneasiness to see that his family, & the honours in it, must be sunk, should his brother meet with the punishment he deserves; I, who am connected with him by the tyes of friendship only, cannot abstain from beseeching you to lay his case before his Royal Highness, who, in it, will find (if I am not mistaken) a proper instance, in which compassion is to be exercised; not compassion to an offender, but to an innocent & very deserving man, who, by the folly of a weak brother, is like to become the last man of his own family, if good nature does not interpose. I know the Duke has on former occasions distinguished Dunmore by marks of his good will; & that no man liveing is more sensible of the honour he has by his Royal Highness's favour. Now should he owe deliverance from his present Distress to the Duke, which may easily be compassed by delaying the tryall of his Brother, I leave it with you to consider how sensible the obligation, how deep the impression must be. Had I had the honour to see his Royal Highness, after this view of the case presented itself to me, I should have presumed to have laid it before him; but as it may be uncertain when I may have that honour, & as this case may require a speedy resolution to be taken upon it, I take the liberty to intreat of you that you will lay the matter before him, trusting that he will forgive me for suggesting this hint; as my doing so proceeds from no other motive than what his nobleness of mind must approve of, and that you will also pardon the trouble I give you on the same score.

Tho' I pity you on Acco^{t} of the many hardships which I am sure you suffer in the villanous Situation in which you find yourself, yet as I observe with pleasure that the Duke is in the way of doing effectually his business, & as you all seem to keep your health, & keep up your spirits, your condition is the less to be lamented. You will, I hope, soon get out of it, and then "*Olim meminisse juvabit.*" I insist upon it, that you believe me to be, with perfect esteem, d^{r} S^{r},

Your faithfull & very humble Servt

D. F.

No. CCCXXIII.

The Lord President to Mr. Geo. Ross.

Dr G. Ed^{r} 24th June 1746.

I HAVE received yours of the 17th, of the 18th, & of the 19th ins^{t}; the first and last by the post, the other by the express that brought the Earl Dunmore's. The last brought the Bill for £500, which shall be presented for acceptance. What you mean by telling me that the D. of Newcastle has wrote to me I know not; it's possible he may have said to Mr. M. that he intended to do so; but he surely has forgot; a thing too incident to great men, when there is no immediate occasion for service. I am

still very desireous to hear from Mr. Scroope; if he has not as yet wrote, I wish Mr. Fane would put him in mind of doing it. Before the Earl of Dunmore's Express arrived, I had dispatched a Letter to Sr Everard Fawkner, to be laid before the Duke; whereof the enclosed is a Copy. As it is impossible for me to find time to write to his Lop this night, you will put the Copy of that Letter in his hand, & beg that he will excuse me for any freedom I have used in it with his Brother: I have taken the thing on the corner that is most likely to take effect, & have made such an excuse for the Earl's not interposeing, that I am not sorry that no occasion has presented itself of transmitting his Lop's letter to the Duke, since it came to my hands; & I would gladly hear from Sr Everard before I send it; because if Sr Everard's Answer is favourable, I should rather have my Lord write a proper letter of thanks than a petition; if Sr Everard's Ans^r^ is not satisfactory, or if it do not speedily come, I shall by a safe conveyance put the Earl's Letter in his R. Highness's hand, unless he come soon hither. But as you have given me hopes that the tryal will not be speedy, I have chosen not to dispatch what came to me by express to the Duke, for the reasons I have assign'd, which I flatter myself my worthy and much esteem'd friend will approve of, as it is intended for his Service. The Express reached Sunday Morning; so I have let no Post slip without owning the receipt of it, & acquainting you with what I have done. I am in haste Yours,

D. F.

No. CCCXXIV.

The Lord President to Sir John Cope, K. B.

D^r^ S^r^, Ed^r^ 21 June 1746.

I HAVE had the Honour of yours of the 12th; & with it a great deal of pleasure, as it satisfys me that you are not as yet got into the fashion of suffering distance of time or place to interrupt friendship, or of joining in with the Cry of Fools, who will take upon them to censure, without knowing what they judge of. I have got at the end of a troublesome task, checkered with various incidents; & I am sensible I meet with many criticks; but as I am conscious I have done, according to the several exigencies, the best that appeared to me to be in my power, I remain quiet, and despise the Objectors, as I laugh at the Objections; which cannot possibly be judged of, but by such as know the situation in which I was; & these are very few.

You have been truely informed about Lord Loudon and your humble Servt. We have never varied our style, because Truth is stubborn; it will not vary, and those who have a true respect for it dare not attempt to violate it. What impressions may have been given of your Conduct in the North, I, who was at a distance, cannot guess at; but it is to be hoped, that the Duke, who has had experience of the nature of Marches through the Highlands, and whose eyes must show him what sort of Ground the Corryarrick is, must have a more perfect knowledge of the difficulties you had to grapple with, than he had when he left London; & I should think that his Officers who were present at Falkirk would hardly venture to make observations on what happened at Preston; so that it's highly probable, the stile may change, if ever this matter comes to be the subject of consideration. The Duke is at present where he has been for sometime employed, at Fort Augustus, in receiving the arms and the submission of the Rebels; his patience, which surprises in such Years, is equal to his fire, & in all probability will do very great service to the public.

The young Pretender is, I think, still in the Country; and the probability is great, that he will not get out of it; the spirit of the Rebells is quite broke; and it requires

no more than some skill to contrive Regulations with Judgement, which under a proper Execution would secure the future tranquillity of this Country. I wish our Resolutions with respect to the Continent may be directed by temper and discretion. With respect to these matters, as I have not sufficient Understanding, I have nothing left but to wish in general that things may be well. If I may trust my observations, I fear we have been rather too quick heretofore.

The remembrance you tell me Lord Harrington has of me, gives me great satisfaction; I value not the opinion of any Man, But of him of whom I have a good one myself; and as I must have been senseless, not to have concurred with Mankind in the estimation of his Lordship's Merit, it must surely flatter me much that he is pleased at any time to think of me, or what I am about, with approbation.

It is possible, that when our Term is over, I may think of seeing London once more, to wait of his Lordship, and to renew that acquaintance by which I have been so much honoured.

This will be delivered you by George Ross, who has frequently acquainted me with your goodness to him on my Account, and how much I am indebted to your good-will. If he should have occasion hereafter for your Recommendation to my Lord Harrington, in a matter he has in view, you may safely say that he is honest, and that employing him will be a favour done to me. I am, sure, Dr Sir, John, I have wrote enough in this villainous Scrawl to plague you w^t^ decyphering it; and therefore that I can do nothing better than to have done, when I have assured you that I am, very faithfully,

Your most obed^t^ and most humble Servant,

DUN. FORBES.

*** The view which in this letter is taken of the conduct of Sir John Cope is very characteristick of the President, who was among the few that did not prefs his misfortunes upon him as faults. The triumphs of the Rebels, and the disappointment of the well-affected, had equally contributed to throw that unfortunate commander into contempt; and ridicule was kept alive by every art of song and anecdote.

No. CCCXXV.

Opinion relative to Attainders.

[In the President's hand-writing. Perhaps June 1746.]

IN relation to attainders, it must be considered, That the Act of Attainder will be of small significancy, especially in the Highlands, except the execution of that Law is, by particular provisions, secured. If the Leaders should escape beyond Seas, the Attainders will urge them to perpetuall endeavours to create fresh disturbances, in hopes of recovering what they have lost; and the danger that may ensue from such attempts will justify extraordinary remedys. If, therfor, as it is at present by law High Treason to correspond with the Pretender or his Sons, it were by Statute made High Treason, or (if that sounds too high) Felony, to harbour, entertain, receive messages from, or correspond, either by word or writing, with any of the persons attainted, to be named in the act; if a proper Reward, proportioned to the ranks of the different persons, were proposed for seizing, or giveing information on which any of the persons attainted might be seized, if they were discovered in any part of Brittain or Ireland; and if a force fit to execute the purpose of seizing were properly disposed over the Highlands, it is to be hoped that Rebells would find practising in the Highlands dangerous; and that such as should attempt it might be seized.

It deserves to be considered, whether the Security of the Government requires the like extensive execution of the law against the Low Country Rebells in the rank of Gentlemen;

tlemen; and the matter to be weighed is, whether, as this class is not near so dangerous to the publick peace as the other, a totall and undistinguishing execution of the law might not sour the minds of their innocent Relations and Friends, who are numerous, and create a generall commisseration, which might with time have more dangerous effects than those that could result from the ingratitude of such of them as should be pardoned. But to the attainders of such of them as shall be judged necessary to be punished, it would appear proper the same guards should be added as to those of the Highlanders.

But, whatever Resolution shall be taken touching the Acceptance of the Surrenders already mentioned, and on the Conditions already hinted, or others, a law ought to be made, without loss of time, making it Felony, without benefite of Clergy, to wear, or have in the Custody of any persons inhabiting the rebellious Districts, Arms of any kind, after a day to be limited. Some Exceptions and Provisions, to qualify this generall regulation, may be necessary, and may be hereafter more deliberately proposed.

The Security of the Government may also require the disarming that part of the Highlands which has of late shewn a very commendable and useful Zeal. But that measure, one would think, ought not to be taken, untill the Rebells and the rebellious Districts are effectually disarmed, and untill all apprehensions of immediate efforts to be made by France or Spain, in the course of the present War, are over.

In the course of the Rebellion, numberless excesses were committed by the Rebells, by which innocent Subjects suffered; and those were of 2 kinds. In some Cases, generall taxations were forcibly levied, by certain Rules of proportion fixed by them; in others, particular persons, and some times Bodys Corporate, were taxed, pillaged, and oppressed, on account of their zeal for the Government.

Whatever Resolution may be come to, as to the first of those Cases, it seems highly just, as well as expedient, that the 2^{d} Class should be indemnified, if not rewarded, for their fidelity; and as, in law, every accessary to that great Ryot, the Rebellion, would be liable to make good the damage sustained by every Individual against whom the force that did the damage was directed, one should think that some Provision should be made, either by act of Parliament or by the act of the Crown, for the indemnification of such persons out of the Estates of the forfeiting Rebells; and it would be well if a distinction could be thought of, between the case of those who payed their severall taxations by reall compulsion, and such as wanted compulsion only for a cover; and this may be further considered, as well as the method to obviate frauds in the Settlement of Rebells Estates.

As numbers of Persons in this neighbourhood, who say they are innocent, and (as they have Certificates) have probably been guilty of no overt act, are Suitors for protection, apprehending ravage from the march or neighbourhood of the Troops, it would seem protections ought to be ordered for them; because these will prevent the immediate ruin of Men who may be innocent, and will not prevent their punishment if sufficient information shall make them objects of tryall.

In like manner, where any person may have been committed on suspicion without sufficient Evidence, such person may be dismissed for the present, to avoid Complaints of unnecessary severity, and the Compassion thence arising.

In some Districts, particularly amongst the Mackenzies, where Lord Fortrose zealously exerted all his power to keep his kindred in order, severall Gentlemen whose principles were dubious keeped themselves within the law; but some of their tennents, and the idlest poor of the young fellows in their Estates, were said to be forced out by the E. of Cromartie, Barisdale, & others. Their Masters are now soliciting protections. May they not be told, they shall have them, on condition that they give exact Lists of

their tennents, and other Inhabitants on their Estates, who have been in arms; and search for, and deliver up, their arms and their persons so far as they can come at them?

In deliberating on what is suggested concerning the surrendering of the Commons, consideration ought to be had of what may most probably happen, if such Surrenders are not accepted of; which probably will be, that some of the nimblest and most desperate will, with some of their Leaders, keep the Hills, & shift about from Mountain to Mountain, making inroads from time to time into the adjacent low Countrys for subsistance; and that the gross of those Mountaineers will, shifting their Garb, disperse themselves over the Countrys adjacent to the Hills, where a mixture of Irish is spoken, and where the Inhabitants are friendly to them, and there lurk undiscovered, whilst the hunting them is continued; ready to join in Rebellion should any fresh Standard be set up, or to resort to any Gangs of Banditti that may take a fancy to try to live upon prey.

No. CCCXXVI.

[The following (also in the President's hand-writing) appear to be detached ideas briefly recorded as they occurred; with the intention of their being afterwards digested, and laid before Ministers:]

NO severity that is necessary ought to be dispensed with. The omitting such severitys Cruelty to the Kingdom.

Unnecessary severitys create pity. Pity from unnecessary severitys, the most dangerous; nurse to disaffection, especially if continued for any time. And therfor it is of the outmost consequence, on this Occasion, to weigh well what is necessary to be done in the way of just punishment; to the end it may be speedily done; and to consider whether, and how far, it is consistent with the future tranquility of the Kingdom, to restrain merited punishment, and to extend unmerited mercy.

No reasonable person can think the punishment of the Leaders of this fierce & desperate Rebellion severe, since the abuse of the lenity shewn in the prosecution of the last Rebellion aggravates their Guilt, and shows it to be unsafe for the Publick to trust to that Gratitude which might be expected from mercy shewn to men of such principles; and if the punishment of such shall be resolved on, it may be speedily executed by the immediate tryall of such as are in custody, and by the attainder of others.

It is to be doubted, whether affecting the Crowd of the common people with the punishment legally and justly due to their Crimes might not be construed an unnecessary severity, and therefore do more harm than good, by raising Pity: the rather, that it is most certainly true, that great numbers of them were compelled to join the active Rebells, by threats which were justly terrible to them.

On this Head, it may not be improper to recollect, that all those whose Principals are Jacobites have not actually rebelled; that their numbers are much greater than those of the Rebells who were in arms; and that they will, probably, be disposed to propagate

propagate such Sentiments amongst the lukewarm, or even amongst the weaker part of the well affected, as may be most mischievous to the Government.

Of the Rebells present at the late Battel, supposed to be 8000, about one half are probably destroyed, or in Custody. Had the whole perished there, the Pretender's party would have been by so much the weaker, and their fate would neither have moved pity, nor furnished any Argument to Jacobites to sour weak minds against the Government.

But if the common people who escaped from that Battell are sought after, and to a Man destroyed, tho' the Pretender will thereby have lost so many hands, it is a question, whether the Complaints of the disaffected, and the Compassion thence naturally arising on the minds of weak persons that are not disaffected at present, may not furnish a much stronger recruit to that villainous cause in a short time.

If any method can be fallen upon, at the expence of pardoning the least mischievous of the Commons of the Highland Clans, to transport the most active and dangerous to America*, where they might be of use to the Crown and to the Kingdom, it would probably be to the taste of all that part of Scotland that borders with them, could be complained of by nobody, and would in some degree yield the security proposed.

And it is probable, that if they were in a proper manner given to understand, that, upon a fair surrender of their arms and of their persons to the King's mercy, no further hardship would ensue, than the draughting some of their able-bodied Men for the defence or improvement of some foreign Colonies, a surrender might follow.

But such hopes of mercy ought only to be given upon the Clan or Districts giving an exact List of all who in such Clan or District carried Arms; upon a fair registering the names of all such as shall surrender, and entering also the names of such as may stand out; and upon a Consent by such as shall surrender to forfeit the indulgence expected, if ever they shall be found wearing arms on any occasion, or harbouring any of their Clan or District who shall not have surrendered.

And as to the thieving Countries of Glengary, Lochaber, &c. it may be considered whether the Inhabitants may not, by a temporary law, be confined to their own Districts, under the penalty of Fellony if they shall be found 6 miles without the limits prescribed; except they have a licence from a proper officer, to be named by the Crown.

No. CCCXXVII.

The Lord Lyon to the Lord President.

My dear Lord,

THE latter end of last week, I was obliged to go to the Country; else had then acquainted your Lop that I show'd your letter where I thought it proper; & at

* This suggestion of the Lord President's would appear to have been acted upon; for, about the beginning of July 1746, a special free pardon passed the Great Seal to upwards of 100 rebels; provided they would transport themselves to His Majesties plantations abroad.

last

last the D. of Newcastle took it from me, to show to the Chancellor; and I am told, they do not propose to bring in any Bills relative to Scotland this Session, except the Meeting-house bill, and that for discharging the Highland dress; which, I am just now told, would be brought into our house by the Attorney General in a day or two. For my own part, I am yet, in my private opinion, for the bill; not being convinced against it; *but as I understood that your Lo'p & my friend McLeod were against it*, I have objected to it, and asked the Duke of H——— what Crimes had the Campbells, Sutherlands, McLeods, Munro's, McKays, &c. been guilty of, that they should be punished by the legislature whilst they were in arms for the Government? which did puzle; & was answered, the Whig Clans might be excepted; which I said would not do; the thing must be general, or could have no effect. Meantime, I should be glad to be convinced, & armed with proper objections. As to the Meeting-house bill, my Lords Tweeddale, Winchelsea, & Sandys, have shown great zeal; & at first insisted on all those forfeiting their employments who had been twice at a Meeting-house since Sept. 1745. But, this is over-ruled; only they have this day agreed to incapacitate for the future all persons in Scotland from holding employments that resort to the nonjuring Meeting-houses; and to incapacitate Peers from voting in Elections that have been twice at a nonjuring Meeting-house since Sept. 1745. And in short no such person can vote in the chusing of a magistracy at Edin^r & other places, whereby they think they can secure a Whig magistracy.

I have mentioned your Lop's great expenses in this and the last Rebellion; and I find the Duke of Newcastle chooses to see you here, before any further Scotch laws are made, of which you will be more properly acquainted.

My Lord Stair, who opposes the Dress Bill, bids me make you his Compliments; and the Duke of Newcastle assures me, that, notwithstanding his differing *with you as to Mercy*, that you are a great favourite of the Duke's.

I have the honour to be,
My Lord,
Your's most faithfully,
London, July 1st 1746. ALEX^R BRODIE.

No. CCCXXVIII.

The Lord President to Mr. George Ross.

Dr G. 2^d July 1746.

THO' I have very litle time, I cannot abstain from transmitting to you the inclosed Copy of so much of a letter from Sr Everard Fawkner as I received this afternoon, in answer to mine concerning Mr Wm Murray. I presume his Brother has seen a Copy of the Letter from me, to which the enclosed extract is an answer; and as I (for the reasons which I mentioned in my last to you on this subject) have not as yet forwarded my Lord's to Fort Augustus, I am still in doubt, whether it is better now to do it, or to let it alone untill I have the honour to see the Duke; unless my Lord should direct otherways upon seeing my last to you on this subject; and it is my present purpose, to keep my Lord's in my hands untill the Duke come this way, if I shall not be otherwise directed; as judgeing that teizing the Duke at present is not so likely to have a good effect, as suffering things to cool a litle. I shall, however, depend upon it that I shall soon hear from you what my Lord wishes, & I shall conduct myself accordingly.

Let my Lord know that by the very first opportunity I shall write again as from myself to Sr Everard.

No. CCCXXIX.

Copy of the Paragraph of S[r] E. Fawkner's Letter referred to in the preceding.

My Lord,

AS the bag was opened under his Royal Highness's Tent, I laid before him the letter your Lop did me the honour to write to me of the 21st, before I had read it. Since, his R. Highness has been pleased to tell me, I might send your Lop's Letter to the D. of Newcastle; but how far he may think fit to interfere by application to his Majesty, I cannot take upon myself to say. Your Lop's Letter sets poor Lord Dunmore's distress in a very strong light; & I feel for him sensibly; but there is a wildness in the conduct of those people that one does not know how to account for, but from the blind dependance they are all in upon France. I suppose the late very extraordinary Letter we have seen will make them quite mad, &c.

Fort Augustus, June 25th 1746.

No. CCCXXX.

The Duke of Newcastle to the Lord President.

My Lord, Whitehall, 3rd July 1746.

I HAVE received the honour of your Lordship's Letter of the 19th past; and have acquainted his Majesty with the Representation which the Court of Session had desired you to make, with regard to the appointing a Judge to supply the place of the late Lord Balmerino. Your Lordship, I believe, is acquainted with his Majesty's intention to nominate M[r] Craigie, late Lord Advocate of Scotland, to supply that vacancy; and I conclude it will not be long before that Promotion is made. In the mean time, I hope the Judges of the Court of Session, who have been indisposed, will be so far recovered as to be able to attend the duty of their Office; and that the delay there has been in supplying the present Vacancy will not have been attended with any Inconvenience to the public Service.

I take this opportunity of returning your Lordship my thanks for your Letter of May the 19th from Inverness. The several points therein mentioned (relating chiefly to the Commissions which were sent to your Lordship in September last, for Twenty Independent Companies, and to the pay of these Companies) will not fail to be duly considered, and settled as soon as possible.

Your Lordship will give me leave to congratulate you most heartily (as I think I may now do) upon the total suppression of the late wicked Rebellion. His Royal Highness the Duke has upon all occasions done ample Justice to the active and unwearied Zeal your Lordship has shewn for promoting His Majesty's Service, & for defeating & disappointing the views and designs of the Rebels. I have already, by the King's Order, expressed to his Royal Highness His Majesty's entire satisfaction in your Lordship's Conduct; and it is with great pleasure I take this opportunity of assuring you, that the King has the truest sense of the great and useful Services your Lordship has performed in this critical Conjuncture.

I am with the greatest truth and respect,
My Lord,
Your Lordship's most obedient humble Servant,
HOLLES NEWCASTLE.

No. CCCXXXI.

No. CCCXXXI.

The Duke of Cumberland's Commiſſion to Mr. James Fraser, of Castle Leathers.

(His Royal Highness's Seal.)

WHEREAS Simon Lord Fraser, of Lovat, has been guilty of various treasonable practices & acts of Rebellion against his Majestie & his Government, and is for the same detained in Custody in order to abyde the tryall of his Peers; and as he is possest of several Lands now in Culture, many of which have now quantities of Grain and Corns growing on them, and likewise of the Rights of Salmond Fishing in various waters: To the end, therefore, that the Corn and Grain growing upon the Lands, and the fish, may be preserved for the use & support of his Majesty's forces in these parts, till his Peers shall have given sentence upon those matters he stands charged with; it is fitting & convenient that a proper person should be appointed to take care of the same. A verie good Report having been made of the sufficiency & ability of you, James Fraser, of Castle Leathers, you are hereby authorized & impowered to take into your Charge the several Lands belonging or lately belonging to Lord Lovat hereafter named; that is to say, the Lands of Castledouny, Westerdouny, Cullrinie, Fanellan, Tomach, Lovat, Muniack, Bruiack, and the fishings of the water; and you shall carefully preserve the Grass growing thereon for the Use of the Troops in the Winter, and the Corn of the several sorts you shall cause to be gathered for the use of the Troops likewise, keeping ane Account thereof; nor shall you suffer any Cattle to graze on the ground, but such as ther may be orders for from the Commanding Officers of His Majesty's forces at Inverness. And such Fish as may be taken in the Waters you shall send to be divided among the King's Troops at Invernes; except such Quantitys as it may be necessary to sell, to raise Money for defraying the expence of fishing. And you are hereby likewise impowered to appoint such other persons as you may think fitt in the performance of this service. And for your so doing this shall be to Intents and Purposes your full and sufficient Warrant and Authority.

Head Quarters at Fort Augustus, the 4th day of July 1746.

By his Royal Highness the Duke's Command. Signed Everard Fawkener. To James Fraser, of Castle Leathers, Esqr.

No. CCCXXXII.

The Lord President to the Lord Lyon.

My very good Lord Lyon,

I AM obliged to you for yours of the 1st Inst. I think our Ministers do well in not precipitating the projected Bills, which I understand are intended for preventions of any future Rebellion, until the projects are well weighed, & so adjusted as to have the Effect without doing any considerable Mischief. I am not satisfied that what I have heard spoken of, relating to the Ward-holdings and jurisdictions could be of any great Service. The Meeting-house Bill bids fair to put an end to a practice, illegal in itself, which has been attended with bad Consequences. The most important Medicine for the Evil under which the Nation has so long suffered, & from which it has lately been in so great Danger, is the Disarming Bill; which I am told is ordered to be brought in. If this Bill is properly framed, & the due Execution of it judiciously provided for, it may be of infinite

of infinite service; as it must in time make the Inhabitants of the Mountains as inoffensive & as little dangerous to the State, as their Neighbours in the Low Country; and I hope the Undertakers of this Bill know the Condition, the Temper, & the Manners of the Highlanders, together with the Defects of the former provisions, & the Ways of supplying them, well enough to enable them to make the Scheme now projected complete.

With respect to the Bill for altering the Highland dress, which, if I understand any thing, is no more than a chip in porridge, which, without disarming, signifies not one halfpenny; and, an effectual Disarming supposed, is of no Sort of Inconvenience to the neighbouring Country or to the Government; I do not wonder that you, & a great many wise men where you are, who know nothing at all of the Matter, should incline to it. The Garb is certainly very loose, & fits Men inured to it, to go through great fatigues, to make very quick Marches, to bear out against the Inclemency of the Weather, to wade through Rivers, & shelter in Huts, Woods, & Rocks upon Occasion; which Men dress'd in the Low Country Garb could not possibly endure. But then it is to be considered, that as the Highlands are circumstanced at present, it is, at least it seems to me to be, an utter Impossibility, without the advantage of this Dress, for the Inhabitants to tend their Cattle, & to go through the other parts of their Business, without which they could not subsist; not to speak of paying Rents to their Landlords. Now, because too many of the Highlanders have offended, to punish all the rest who have not, and who I will venture to say are the greatest Number, in so severe a manner, seems to me unreasonable; especially as, in my poor Apprehension, it is unnecessary, on the supposal the disarming project be properly secured; and I must confess, that the Salvo which you speak of, of not suffering the Regulation to extend to the well-affected Clans, is not to my taste; because, tho' it would save them from Hardships, yet the making so remarkable a Distinction would be, as I take it, to list all those on whom the Bill should operate for the Pretender; which ought to be avoided if possible. It is for these reasons, which my Occupations make it impossible for me to explain at length, that I wish this Clause might be dropp'd; the rather that if any Reasons of State, which I cannot judge of, because I have not been acquainted with them, make it necessary, a Bill to that purpose might be contrived, with much less harm to innocent persons than probably the framers of this project have thoughts of.

I cannot possibly take time to say any more than that

I am your

Edinburgh, 8th July 1746. DUN. FORBES.

Note.—President Forbes's ideas regarding that part of the bill affecting the Highland dress seem very just. The English Readers, and most of the Scotch, will be surprised to understand that the Kilt or Pheliebeg was not the antient Highland garb, but was introduced into the Highlands about 1720 by one Thomas Rawlinson, an Englishman, who was overseer to a Company carrying on iron-works in Glengarry's Country. The convenience of the dress soon caused it to be universally adopted in the Highlands. This circumstance is fully explained in a letter from Evan Baillie Esq. of Aberiachan, a gentleman of undoubted veracity, dated 1769, and inserted in the Edinburgh Magazine for 1785.

No. CCCXXXIII.

The Earl of Dunmore to the Lord President.

My Lord, Kensington, July 10th, 1746.

BEING in waiting here, I received late last night from Mr Ross a Copy of Sir E. Fawkener's Letter to your Lop of the 25th of June, and likewise of your Letter to him; by which I am extreamly pleased to see that you intende to write again to Sir E.

Fawkener upon the same subject, and to give the Letter to H. R. H. that I had the honor of writing to him, when he comes to Edinburgh. Both which, with your Lop's friendship and intercession, I hope will have the wish'd-for success; for which I shall have such obligations to you that I can never forget. I am extremely concerned to hear, Reports have been raised to my Brother's disadvantage, which is not of a piece with his surrendering himself to [the] King's mercy, and remaining three weeks without a Guard; nor with a Letter I have had from him since he surrendered himself prisoner; and I flatter myselfe it is so inconsistent with his Character in generall, that I hope those Reports are not well founded; and that therefore they will not be added to his too great follies and crimes already committed. He has acquaintantes who know more of his private Character than I do; and I hope, if there should be occasion for it when H. R. H. comes to Edinburgh, that they may be asked about it. I am, with the greatest truth and regard,

Your Lordship's most obedient humble Servant,

DUNMORE.

No. CCCXXXIV.

The Lord President to the Earl of Dunmore.

My Lord, Edr 22d July 1746.

THO' the Duke has been long expected, he did not arrive till late last night; & his stay was no longer than between nine that night, & 3 this morning. I waited on his R. H. & thought it was proper to deliver to him your Lop's Letter; which, I told him, confounded for your Broyr's offences, you would not have taken the liberty of writeing unless I had sollicited you to do it. I said what appeared to me to be fit on that occasion; & H. R. H. said, he was concerned for what you must feel, & that he would speak to you so soon as he saw you. I take hold of the quickest conveyance I can meet with, to let you know what happened on this occasion. As the Duke exprest himself with sentiments of great kindness to your Lop, I doubt not you will feel the effects of it in relation to what you have so much at heart, & with so great reason. I delivered yours also to Sr Everard. Your Lop will not doubt, that on this occasion I have done what you had reason to expect from

Your most faithfull & most humble Sert,

D. F.

No. CCCXXXV.

Lady Margaret Macdonald to the Lord President.

My Lord,

YOUR Lordship can't yet be a Stranger to the trouble which has been lately brought upon this Island by the indiscretion of a foolish Girl, with whom the unhappy disturber of this Kingdom landed at this place; tho' I cannot but look on myself and family as peculiarly favoured by Heaven, in drawing that unlucky Visitant so quickly away from the place of his landing, that there was no room for considering Him as a Person in Disguise; far less my knowing any thing of it. I must, at the same time, not only look upon myself, but the whole Country, as greatly suffering from the hurt it is likely he has done to the Man into whose House he intruded himself that night; I mean Kingsborrow; a Man well known for his singular honesty, integrity and prudence, in all occurrencies of Life, before that unhappy night; a man of such consequence,

sequence, and so well lik'd in this Country, that if the Pretender's Son had done no other hurt to it but the ruining this single Man, it could not but render him odious to their posterity. This is, my Lord, what occasions giving you this trouble. I'm very sensible of my own insufficiency, and what a bad cause I have to plead for; but when I reflect what esteem your Lop has for worthy Men, and how much of your Life has been employed to serve them in distress, I must upon these Considerations, and the regard your Lordship has always shewn to Sir Alex[r] and his family, without ceremony beg your Lordship to contribute your good Offices in behalf of this Man, whose crime I won't venture to extenuate; but yet I am certain it was accidental, and proceeded rather from an Excess of Good-nature, and Compassion upon a miserable person, who threw himself into his Mercy, then from any disloyalty or rebellious principles. I am not mistress of Eloquence enough to flatter myself with being able to persuade your Lop to do any thing in favours of this unfortunate Gentleman, who indeed I have much at heart to serve, both on account of his own personal Merit, and the use he is of in Sir Alex[r's] Affairs. I must once more beg your Lordship will undertake his Cause, and I shall not be afraid of any Enemies he may have drawn upon himself, as it is much in your power to give this affair quite a different turn from the Light it has been represented in to the Duke. His Majesty's Clemency and Mercy will certainly extend to many of the unhappy Transgressors; and as several of the worst of the people may chance to escape punishment, it would be great Pity one of the best should suffer, for a Crime he never intended against the State.

Your Lordship will do me the Justice to believe I'm not ungrateful for the least of your favours; and if I am at this time so happy as to procure your friendship to Kingsborrow, I shall reckon it among the luckiest Articles of my Life, and the greatest obligation you can put upon,

My Lord,

Your Lordship's

Most obd[t] humble Serv[t]

Sky, July 24th, 1746. MAR. MACDONALD.

Note —Lady M. Macdonald was a Daughter of the Earl of Eglinton, and a Lady of great worth and accomplishments.

No. CCCXXXVI.

Sir Alex[r] Macdonald to the Lord President.

My Lord, Fort Augustus, 29th July 1746.

AS my campaigning is now at an end, and begun under your inspection, you might reasonably expect from me some Account of that part of it which has passed since we parted; but your Lordship will forgive me, as I am no good Historian, and take it in scraps as I have the pleasure to chat with you sometimes when we meet. One thing I will venture to give you a minute detail of; the misfortune of Kingsborrow, now sent a prisoner to Edin[r]. When the young Pretender made his unhappy visit to Skye, from South Uist, in a small boat, he landed near my house, in woman's clothes, by way of being maid-servant to one Florence Macdonald, a Girl of Clanranald's family, now a prisoner with General Campbell. Miss Macdonald went and made a visit to Lady Margaret, dined with her, and put her into the utmost distress by telling her of the Cargo that she had brought from Uist. She called on Kingsborrow, who was at Mugstot accidentally, and they had a very confused consultation together; and it was agreed to hurry him off the Country as fast as possible. The method Kingsborrow took

took was, to meet him about two miles from my house, in the way to his own. He (the Pretender) accosted him with telling him that his life was now in his hands, which he might dispose of; that he was in the utmost distress, having had no meat or sleep for two days and two nights, sitting on a Rock beat upon by the rains; and when they ceased, ate up by flys; conjured him to shew compassion but for one night, and he should be gone. This moving speech prevailed, and the visible distress, for he was maigre, ill coloured, and overrun with the scab; so they went to Kingsborrow's house, where he lay that night; and he furnished him a horse to carry him seven miles next day to Portree. There he found, accidentally, a small Rasay boat, into which he put foot and disappeared all at once.* A few days after, Genl Campbell came to my house, which Captain Ferguson had already searched. Kingsborrow was called upon to assist in tracting the Pretender, which he undertook to do as far as he could, and told the General, that he had seen him, but in such misery that he could not lay hands on him; and the General promised not to discover what he had done. Kingsborrow was active to the General's satisfaction; but the Bird was flown, and had got to the main land. The Women about Kingsborrow's house, being examined, discovered the Pretender had been there. When I went to wait of General Campbell, he told me he could not be answerable not to secure him, on the evidence of the women; but that he should have his choice either to remain a prisoner with him, or go with me to the Duke, and that he would write to His Royal Highness in his favours. Kingsborrow chose to come to this place, and got the General's letter, which he read to us and sealed. On arriving here, the Duke ordered Sir Everard Fawkener to examine him; and since, he has been confined, and now sent to Edin^{r}. I used my little Rhetoric with the Duke; but he stopt my mouth, by saying, that this man had neglected the greatest piece of Service that could have been done; and if he was to be pardoned, you have too much good sense to think this the proper time; as it would encourage others to follow his example.

I need not tell your Lordship how much I am concerned for the man's misfortune; nor need I beg your assistance in a thing I have so much at heart as the Safety of this man, because I have always found you friendly in every thing that concerned me. I am with the usual attachment,

My Dear Lord, Yours,
ALEX^{r}. MACDONALD.

Along with this is a scrawl from my Wife,* who does not know that her name has been mentioned.

No. CCCXXXVII.

Mr. Donald Macdonald, of Castletown, to the Lord President.

My Lord,

I BELIEVE ere this leter shall come to your hands, you shall hear of the death of Sr Alexander Macdonald, who died at Bernera, in Glenelg, on Sunday the 23^{d} of last month. He arrived at that place on Wednesday the 19th, was that night taken ill of a pleuresy, which carried him off in four days. Your Lordship's intimacy with this Gentleman for many years made you thoroughly acquaint his character; and therefore I shall not venture to speak much of it in this leter. Only allow me to say, that he was a downright honest Man, true to his friend, & firm to his word. By his death we of his Clan lost a father, and the King a good subject. Lady Margaret bears her affliction with that patience and resignation which become a Christian and a Woman

of

of prudence; and there is nothing wherein his friends can show a greater regard for his Memory, than by doing all the good offices in their power to his Lady & Infant Children. There is, my Lord, one particular in which she has ordered me to solicite your interest, at a time she is not in a condition to write to you; and that is, in behalf of Mr. M[c]Donald, of Kingsborrow, now a Prisoner in the Castle of Edinborough. That Gentleman has been a principal manager of the affairs of the family of Macdonald for twenty-eight years, and did always discharge his trust with faithfullness and diligence. And, as by his long management, he is best acquainted with the affairs of the family, so there cannot be no greater service at present done her and her Children, than that he should be sett at liberty, and reinstated in his former Office. Your Lordship also knows how serviceable Sir Alex[r] Macdonald also was in suppressing the late Rebellion: and, tho' he has not lived to receive any favors suitable to his services, yet it is hoped they are not so forgott, but that they shall be remembered to his Lady and Children; and they would take the liberation of the Gentleman in the Castle as an earnest of the regard of the Government for them; but how or in what manner this favour can be procured Lady Margaret leaves entirely to your Lordship's Judgement. I am, as I ought to be, with the greatest esteem,

My Lord,

Your[r] most obedient, and most obliged humble Servant,

DONALD MACDONALD.

Armidale, Dec[r] 5th, 1746.

No. CCCXXXVIII.

Mr. Mac Leod to the Lord President.

My dear Lord, London, Dec[r] 18th, 1746.

THE enclos'd came here last night from Scotland. I waited on the Duke of Gordon; & recommended M[r] Neil M[c] Leod to him, to be Minister of Laggan. You may remember he was of the Church Militant, & attended me in my Expedition eastward, & stayed w[t] the Men constantlie till they were sent home; & preached sound Doctrine, & really was both zealous & serviceable. The Duke agrees, that anie one you recommend have his interest; & as M[r] Clark is gone to Hornwa, I hope you will recommend M[r] Neil; & writeing to M[r] Gordon, the Curator, will be sufficient, & what the Duke desires. The Curator likewise told me, he would be very willing to serve him on my Acc[t].

I saw unhappy Lovat to-day. Except for the feebleness of his Limbs, his looks are good. He asked me several general questions, & particularlie about you; said he was resigned & ready to meet his fate, since it was God's will; asked after his Children, &c. I did not stay till he was dismissed from the Bar of the house of Peers; so I know not what they have done w[h] the Petition he was to present; nor if a day is apointed for his Tryal. We continue to gape for news, as no Mail or Express is yet come over.

Yours,

NORMAND MAC LEOD.

No. CCCXXXIX.

The same to the same.

My dear Lord,

I WAS very glad to find you safe att Stonyhill the 13th. I dare say, all your philosophy was required on the loss of our friend. The first thing occurs to me, wt respect to utility to his children and family, is Kingsborrow's liberation. He is the only Man of his family fitt or able to manadge the affairs of his Estate, & the only one of that Country known to them. Wh regard to anie thing else, you will be so good as allow John McKenzie Delvin talk to you; as he was his doer, & pritty much trusted. Probablie, he will know if he has made anie Settlements, & what they are; & you can then judge what is fitt to be done. I only observe to you wt regard to K—, I have made no application till I hear from you, & that you act & direct me as you see cause.

Lovatt behaved well at the Barr of the House of Peers, & they say wh spirit. Granville & Bath spoke very strongly wh regard to the seizure of his Estate & Effects; & that matter is ordered to be rectified, except in as far as private Creditors come in the way. Some say, the Austrians & Piedmontese are moving towards Toulon, & others towards Aix & Marseils. It's certain, Bellille retires before them, & that the Spaniards had not joined him. We had ane odd Story from Court to-day, that the 18,000 Dutch Prisoners in France had made their escape; some say to Holland; & others say, have joined the Austrians in Provence. A good many Austrian Officers have been kill'd in the Insurrection att Genoa. It was reported, the K— said yesterday, att his Levee, that they had brought that misfortune on themselves. Many of your friends & acquaintances here enquire after you. Sr Arthur is at Bath, wh I believe I told you before.

Yours,

London, Decr 20th, 1746. N. M. L.

Pray remember my Militant Churchman, Neil Mac Leod.

No. CCCXL.

Sir Andrew Mitchell to the Lord President.

My Dear Lord, London, 26th December 1746.

THIS will be delivered to you by our friend Mr Drummond, who will give you an account of his own transactions, & of what he has seen and observed here. The part he has engaged to act appears to me extremely difficult; and, as his friend, I have charged him to have often recourse to your Lordship's judgment and opinion.

I had the honour of your's of the 16th, which gave me sincere pleasure; as I cou'd not avoid having a great anxiety about you, for attempting so long a journey in an untryed machine, and at so rude a Season of the Year: but I thank heaven, that you are got safe home, and have had spirits to bear the severe shock which the loss of so valuable a friend as Sir A. Macdonald must justly occasion. Believe me, my Lord, and I am enthusiast on this point, that, from what I have observed of your manner of bearing the cruellest losses and disappointments, I am persuaded, that providence intends you shou'd once more save your Country: and as an earnest of it, I consider your decree in the case of Capt. Hamilton; the honour of which is ascribed to you, tho'

tho' the Bench were unanimous ; for, to speak in the language of the Mathematicians, Lord ——— is = o, and I find he is so considered here. One circumstance gives me pleasure, that the decree was made before the order of the House of Lords for putting Lord Lovat into possession. Your Lop will have heard an account of Lord Lovat's behaviour ; and therefore I shall not trouble you with the particulars ; only I must observe, there was neither dignity nor gravity in it : he appeared quite unconcerned ; and what he said was ludicrous and buffoonish ; but his petition was bold and well worded ; which, however, would have been passed over without notice, had not Ld Granville bounced, and Lord Bath vapoured, and procured an order to be entered in the Journal ; and have by that acquired to themselves a sort of popularity which you know they very much wanted. No Scots Nobleman spoke on this occasion ; they are prudent and cautious. God bless them!

As to the affairs of Scotland, I am convinced that no Man in the Administration has had one serious thought about them since you left this place ; one only excepted, whose labours for the good of his Country are incessant ; but as he chuses to work in the dark, I can give no account of his progress, only that I fear he will be successfull.

I will not trouble you with the foreign news, as that will reach you by the Gazettes before this can. The Duke is expected over soon ; and it is given out, that the Dutch have agreed to every thing. However, some people talk of secret stipulations as to certain articles of expence. One thing I must mention to you, as it is still in your power to retrieve it. You have done an injury to Hercules, without intending it. Your motives of action are, to Ministers of State, incomprehensible. Take this for an Example, and be convinced : A Gentleman that I can trust, but who is unknown to your Lop, told me, he happened to be by when your Son was spoke of to Mr Pelham ; and somebody said, he deserved a mark of the King's favour. Mr P. said, if you had a Son, sure you must know him best ; and, had he been fit for any thing, wou'd certainly have mentioned him, as he (Mr P.) and you were upon so good a footing. This is hard & unjust to poor Hercules, who will never be a discredit to any family ; and it is a pity that the father's virtue should be imputed to the Son for folly. I, therefore, take the liberty to propose, that you should write a letter to Mr Pelham, to be delivered by Hercules, & to serve as an Introduction. I will go along with him, or any other of your friends that you please to name ; and I need not add, that you will take no notice of the fact above mentioned.

Another thing is likewise fit that you shou'd know, because the Parties concerned imagine you have done them ill offices. My neighbour Sir J. Gordon, soon after you was gone, hinted to me, as if some expressions of yours concerning the E. of Cromarty had retarded the favours he expected from the Crown. I said, that was impossible, because I knew your opinion was that the mercy shou'd be compleat ; and that I was well assured, that you had signified so much to the Ministers. He told me, I was mistaken ; that his Authority was too good to be doubted, and alluded to something that had passed between the P. of Wales and your Lordship. As he spoke with an air of mystery, I seemed not to understand him, but insisted that he was the dupe of his own jealousy and anxiety, &c. I find likewise, that all the nonsense and stuff that G. R. has talked is very unjustly imputed to your Lordship ; and I make no doubt, a certain Brother of yours has had hints of this ; which at the same time will serve (if he succeeds) to magnify the talents, interest, and industry of my neighbour.

Amidst your greater occupations, I should not have troubled [you] with these little matters ; but that I cannot bear that you, or yours, should suffer unjustly. Mr Stanhope

hope sends you his Compliments, and speaks of you with affection. Ld Harrington has been ill by a surfeit, but is now in a good way. Macleod, I hear, has declared his Marriage; but I have not seen him nor the Lady since it was publick.

I ever am, with great truth and affection,
My dear Lord,
Your most obliged humble Servt,
AND: MITCHELL.

No CCCXLI.

The Earl of Dunmore to the Lord President.

My Lord, London, Decr 27th, 1746.

Mr ROSS promised to acquaint you, by the first post, of His Majesty's great goodness in granting a Pardon to my Brother. I need not say any thing to convince you how easy and happy it has made me; nor of the satisfaction I have, to find so true a friend in your Lordship; whose cordial assistance upon this occasion I shall always remember with the strongest sense of gratitude; and I shall think myself extremely happy if any opportunity should offer in which I might be of any service to you or any of your friends here. I am, with the greatest Regard,

My Lord,
Your Lordship's most obedient humble Servant,
DUNMORE.

No. CCCXLII.

The Lord President to Mr. Poyntz.

Dr Sir, 27 Decr 1746.

THE great libertys which your Benevolence has engaged me to take with you, in talking over what appeared to me to be for the Service of the Public, are, you see, productive of more. I with great Freedom explained to you what I thought ought to have been done with respect to Mr McDonald of Kingsburrow, Sr Alexr Macdonald's Steward, who contributed to the Young Pretender's escape out of the Isle of Sky, before I left London. It was then my opinion, & it is so still, that in Consideration of Sr Alexr's signal services, his Kinsman and Steward, who had been drawn into this offence by the Intreaty of a woman, My Lady McDonald, who was herself surprized into that request in the manner you have heard of, might with considerable advantage to his Majesty's service have been pardoned; & I was not without Expectation, that persons of greater Judgement, on reflection, would sooner or later have come into the same sentiment; & to their consideration I left it. But the unexpected Death of Sr Alexr McDonald at Glenelg, as he was on his way to pay his duty to his Majesty and to the Duke at London, lays me under a necessity, from regard to his family, now fatherless, and in duty (as the matter appears to me) to the King, to state the matter as it presents itself to my view to you, that you, if it touches you as it does me, may lay it before his Royal Highness on his return from Holland.

I would not bestow many words in stating to you the loss the Public has met, by the Death of Sir Alexr, whose merit the Duke was sufficiently acquainted with. He had gratitude enough to the Crown, from which he had received favours, to make him deliver himself from the Fetter of a Jacobite Education, & to arm in support of

His

His Majesty's just Government; and he had interest enough with his numerous Kindred, whose turn had formerly been malevolent, to bring them to act in conjunction with him *totis viribus*. This Gentleman, and at this juncture, is now dead, leaving his Children Infants, his Widow a stranger to the Country where his Estate lies, and no relation of any Consideration to take care of his Fortune or Family; and, what aggravates their misfortune, M^r^ M^c^Donald of Kingsburrow, who had been Sir Alex^r^'s Steward for many Years, & who alone is acquainted with the state & management of his affairs, a prisoner for the Crime which I have mentioned in the Castle of Edin^r^. In these Circumstances, that his assistance is very much wished for & wanted, you will readily agree; that if his Liberation is not inconsistent with the security of the Government, His Majesty's gracious acceptance of the services of Sir Alex^r^, who now is no more, could not be more amply testified to that Kindred, than by making them a present of a Man so necessary for the taking care of the private affairs of the Family. I am sensible it may be suggested, that it is not fit to trust a Man (who, during Sir Alex^r^'s Life, took so wide a step) with the care of the family, now he is dead; but the other side of the Question is also to be attended to; what may be the consequence, if a Kindred lately recovered from Disaffection shall see a person so necessary for the management of Sr Alex^r^'s private Fortune, after a long Imprisonment, tryed, &, if convicted, put to Death? I would not put the Case of his being tryed and not found Guilty, because the consequence of that would be worse in every view; & to tell you, without Disguise, my opinion, I should fear, that if the Law is carried to its full Extent, there will be great danger of alienating a Kindred, of which His Majesty at present has and may keep possession, and of making them a prey to any Attempt to be made by France & the Pretender. Whereas, if this Man's Dismission was made a present of, to the Memory of Sir Alex^r^, I cannot think of any thing that would be more beneficial to the Family, or agreeable to the Kindred. And I so little think that he would make a bad use of his Liberty, that I am ready to become Bail for his appearance when called, & for his good behaviour, & I believe M^r^ M^c^Leod will be willing to join with me in the Security. You see, Dr Sir, that I write with some Earnestness on this subject; & when you are informed, that I have not the least relation to Sir Alex^r^'s Family, nor any Connection with his Kindred but what grew from the Service they were of to the Government, I hope you will be satisfied, that Affection and Concern for the Government is what guides my pen on this Occasion, as it has determined my Actions since I could first reason. If what I have suggested affects you in any Degree as it does me, you will, I know, take a proper Opportunity of laying it before the Duke on his arrival; or make such other use of it as you judge proper. I shall inclose this within one to M^r^ M^c^Leod, to be by him sent or delivered to you.

I hope I need not make use of many words to persuade you, that I am heartily,

Dear Sir,

Your most faithful & most obedient humble Servant,

DUN. FORBES.

No. CCCXLIII.

Some Thoughts concerning the State of the Highlands of Scotland.

[In the Lord President's handwriting. Perhaps 1746.]

WHAT is properly called the *Highlands of Scotland*, is that large tract of mountainous Ground to the Northward of the Forth and the Tay, where the natives speak the Irish language.

The inhabitants of the lands adjoining to the mountains to the northward of those Rivers, in the shires of Perth, Forfar, Kincardine, Aberdeen, Banff, and Murray, where some sort of Industry has prevailed, and where the soil is tolerable, have for many years left off the Highland dress, have lost the Irish language, and have discontinued the use of Weapons; the consequence whereof is, that they cannot be considered as dangerous to the Public peace, and that the laws have their course amongst them.

The inhabitants of the mountains, unacquainted with industry and the fruits of it, and united in some degree by the singularity of dress and language, stick close to their antient idle way of life; retain their barbarous customs and maxims; depend generally on their Chiefs, as their sovereign Lords and masters; and being accustomed to the use of Arms, and inured to hard living, are dangerous to the public peace; and must continue to be so, untill, being deprived of Arms for some years, they forget the use of them. From Perth to Inverness, which is above 100 measured miles, and from thence to the Western Sea, including the Western Islands, there is no Town or Village of any consequence, that could be the Seat of any Court of Justice the least considerable, except Durkeld, which is within 10 computed miles of Perth; neither is there any sort of Inn or Accommodation for travellers, excepting a few that have been built on the King's Roads made by Marshall Wade. Of this large tract of land, no part is in any degree cultivated, except some spots here and there in Straths or Glens, by the sides of Rivers, brooks, or lakes, and on the Sea Coast and Western Islands. The Grounds that are cultivated yield small quantities of mean Corns, not sufficient to feed the Inhabitants, who depend for their nourishment on milk, butter, cheese, &c. the product of their Cattle. Their constant residence during the harvest, winter, and spring, is at their small farms, in houses made of turf; the roof, which is thatched, supported by timber. In the summer season, they drive their flocks and herds many miles higher amongst the mountains, where they have large ranges of coarse pasture. The whole family follow the Cattle; the men to guard them, and to prevent their straying; the women to milk them, and to look after the butter and cheese, &c. The places in which they reside when thus employed they call shoelings, and their habitations are the most miserable huts that ever were seen.

A Highland Clan is a set of men all bearing the same sirname, and believing themselves to be related the one to the other, and to be descended from the same common Stock. In each Clan, there are several subaltern tribes, who own their dependance on their own immediate Chief; but all agree in owing allegiance to the Supreme Chief of the Clan or Kindred, and look upon it to be their duty to support him at all adventures.

The power of this Chief has no foundation in the Laws of the Country. Some chiefs there are that have neither property nor jurisdiction, and the cutting off the present Chief does no more than make way for another.

Those Clans or Kindreds affect to herd for the most part together, not choosing (if they can help it) to mix with other kindreds; tho' sometimes accidents oblige them to take up their habitations in the districts of other Clans; but still they retain their allegiance to their proper Chief.

As those Clans or Kindreds live by themselves, and possess different Straths, Glens, or districts, without any considerable mixture of Strangers, it has been for a great many years impracticable (and hardly thought safe to try it) to give the Law its course amongst the mountains. It required no small degree of Courage, and a greater degree of power than men are generally possessed of, to arrest an offender or a debtor in the midst of his Clan. And for this reason it was, that the Crown, in former times, was obliged to put Sheriffships, and other Jurisdictions, in the hands of powerful families in the Highlands,

lands, who by their respective Clans and followings could give execution to the Laws within their several territories, and frequently did so at the expence of considerable bloodshed.

But as the notions of good order and government have been very much improved of late years over all Scotland, excepting the Highlands; and as the disarming Act in the year 1716 disabled the Lords of the several Jurisdictions, who complyed with it, to support the execution of the Laws against armed Highlanders who found means to be possessed of arms; it seems absolutely necessary that some expedient be devised to restrain and civilize those lawless Highlanders. The description of the Highlands already given shows why, whilst the rest of the Country is generally improving, they continue the prey of their accustomed sloth and barbarity. The Want of Roads, excepting the King's Roads already mentioned, the Want of Accommodation, the supposed ferocity of the inhabitants, and the difference of language, have proved hitherto a bar to all free intercourse between the high and the low lands, and have left the Highlanders in possession of their own idle customs and extravagant maxims, absolute strangers to the advantages that must accrue from Industry, and to the blessing of having those advantages protected by Laws.

Arms in the hands of men accustomed to the use of them, brought up so hardily as the Highlanders are, obedient to the Will of their Chiefs, who as well as themselves have generally little or nothing to lose, and who entertain strong notions of their own military prowess, are dangerous to the public peace, and must therefore be taken from them. Tho' all the Arms now in the possession of Highlanders were taken from them, the Government would not be absolutely secure, so long as the present race, acquainted with the use of Weapons, exists; because France or Spain, by supplying them with arms, might make them hurtful. But if the Highlanders can be effectually debarred from the use of Arms untill the present generation die out, their Successors, unacquainted with the use of Gun, Sword, or Durk, must be as harmless as the commonality of the adjacent Low Countries; and when they can no longer live by Rapine, must think of living by Industry.

It will be no difficult matter to have the disarming Act executed amongst the well-affected Highlanders; but it will require a considerable standing force, and that for some years, to disarm, and effectually to prevent the use of Arms amongst the rebellious Highlanders. For, as the Districts in which they reside, because of the asperity of the Surface, and the total want of accommodation, and of the common Conveniencys of living, with which his Majestie's other Subjects are accustomed, are seldom if ever visited by Strangers; the Clan or Kindred may continue to do amongst themselves what they think fit. Offences against the disarming Act may be committed without discovery; and when discovered, it will be no easy matter to bring the Offenders to justice; not to mention the possibility of attainted persons, or other emissaries from France, coming amongst them, without the danger of being heard of, far less of being seized, by the Government.

To obviate these difficulties, it seems absolutely necessary, that some force more or less be placed in the several Straths, Glens, or districts, where those lawless Highlanders reside; to keep a constant Communication with each other, to observe what passes, and give notice to the next Commanding Officer, and to execute such orders as they shall receive.

To effectuate this in the Way the most practicable, and which at the same time would be attended with a train of other advantageous consequences, it is proposed, that five or six different stations in the body of the Highlands be pitched upon; in each of which 10 or 12 Companies may be placed; and from which small parties may be detached

to the several Straths or Glens, &c. in the neighbourhood of such Stations, to prevent the wearing arms, and all intercourse between the Inhabitants and attainted persons, and to assist in the execution of all Warrants by Civil Officers; that each Station be secured by some slight fortification, in the most unexpensive Way, as they are to be made use of no longer than till the disarming Scheme is sufficiently executed.

That at every such Station a parcel of ground be set off to be built on, by Sutlers, Butchers, Bakers, Maltsters, and all other tradesmen and dealers who may find their Account in carrying on their business at those Stations for the Accommodation of the Troops. That power be given to some proper person at each Station to set off the ground that may be fit for any Undertaker to build on, and that a Property in the ground be given to the Undertaker.

That at the several Stations, Spinning-schools be set up, to draw the idle females of those Countries into that Manufacture; and that Weavers be stationed there as soon as there is Spinning sufficient to set them to work.

That so soon as any Collection of industrious people is thus brought together, his Majesty do erect the Village, with such further Lands as he shall judge convenient, into a Burgh of Barony, to be held immediately of the Crown; and do appoint the ordinary Judge the Baron Baillie, to issue all Warrants in his Majestie's name; in the execution whereof he will be assisted by the Troops, untill that Country shall be brought to reverence the Authority of the Law. That in such of those Stations as may be fixed on the Sea Coast, encouragement be given to introduce Fishery; not only for the Convenience of the Troops, but for promoting the trade of the Nation.

If such a Project, as it may with attention be improved, were followed, these effects would probably ensue:

1st The Highlanders would be effectually disarmed, and keeped from using arms.

2dly The Communication with attainted persons would be rendered difficult, if at all practicable.

3dly In case of any Invasion, or attempt to raise an insurrection to favour it, early advice would be had; &,

4thly, Upon such advice, the troops at the several Stations might draw themselves together, or dispose themselves in the best manner to defeat the design.

5thly All processes of Law would be executed securely; Criminals might be brought to justice before the Judges of Assize, or other Courts; and Witnesses might effectually be subpœnaed.

6thly So soon as the Boroughs intended to be created can yield convenient Accommodation, the Judges, if it shall be thought proper, may in their Circuits hold Courts for trying Crimes in them.

7thly If any mines or improveable grounds shall be found to be amongst the mountains, men may be disposed to take leases of them, by the Security to their persons and property that will attend this Plan.

8thly The numbers of troops posted at the several Stations, and the numbers of Sutlers and Artificers that must necessarily follow them, will, undoubtedly, produce some Gardening, and some better kind of Husbandry in the neighbourhood of those Stations, than has been known amongst the mountains heretofore; and if those experiments shall succeed, as it seems certain they must in some degree, it is to be hoped that one of two things will follow; either that the natives may follow the example, having the advantage of instruction in these particulars at the Station to their Children; or, that the Undertakers for supplying the Station will take leases of proper Grounds at greater distances, and improve them properly.

9thly When

9thly When the Highlanders are deprived of their Arms, and thereby that diversion which is the greatest incentive to their idleness, i. e. hunting, is cut off, it is to be hoped the advantages which they must see in their neighbourhood acrueing from industry, may naturally lead them to it, or, at least, may induce them to send their children to the nearest stations, to be instructed in husbandry, and the other arts and manufactures that may be there acquired.

10thly As the demand at the Stations for provisions, and necessaries of all kinds, must raise considerably the Value of all the Commodities which the Highlands produce, and thereby encourage the inhabitants to that industry which may produce those Commodities in greater quantity and in greater perfection; if feeling the benefit thence flowing can induce the Highlanders to put some value on property more than they at present do, it is to be hoped the enthusiastic regard for their Chiefs will subside, and some regard for the Security of their property, the Laws, may take place of it.

It is remarkable, that in some districts bordering upon the Highlands, where within memory the inhabitants spoke the Irish Language, wore the Highland dress, and were accustomed to make use of Arms, upon the accidental introduction of industry, the Irish Language and Highland dress gave way to a sort of English, and lowland Cloathing; the Inhabitants took to the Plough in place of Weapons; and, tho' disarmed by no Act of Parliament, are as tame as their Low Country neighbours.

If the hints now flung out are deemed worthy of being carried into execution, the particular manner of establishing those Stations, and the Boroughs consequent on them, and of effectually disarming and establishing Posts for that purpose, may be considered in detail; as also the manner of giving a free course to the Laws in that wild Country.

No. CCCXLIV.

Mr. Normand Mac Leod to the Lord President.

My dear Lord,

THIS day Lord Lovat was brought to the Bar of the house of Peers, to give in Answers to the Articles of Impeachment exhibit against him; which he did; his answers were a denial, but seemed to be well drawn up, and properly worded. He then presented two petitions to the Lords: the first set furth, that the Factor apointed on his Estate had not complied with the Orders of the House; nor had Captn Ferguson restored his strong box with his money, tho' ordered so to do by a Warrant from the De of Newcastle by His Majesty's Command; saying, he was in the same Condition as before, destitute of money to support himself, or to provide for his defence; prayed for relief, &c.

The Chancellor spoke first, and shewed with great eloquence the fittness of all that had been done in Scotland to suppress the most unnatural and unprovoked Rebellion that ever was raised; shewed its conformity to the Laws of England, the laws of Nations, and of Common Sense; mentioned precedents of things done in the Irish Rebellion, after the Revolution, and cited opinions of some English Lawyers. The D. of Newcastle made a very proper encomium on what the C———r had said, and told the steps that had been taken, by order of his Majesty, with regard to the money Ferguson had, and with regard to his Estate; and read a part of the Advocate's letter, shewing he had comply'd with the first Order from the Crown, as well as with that from the house of Peers: he then said, as to the money Ferguson had, he had been ordered to deliver it up; but on his representing that he looked on it as fair prize, belonging to himself and the Seamen with him, it would be hard to rob him of it, till it was known whether it was so or not; which could not be certainly ascertained, till the event of Lord Lovat's Trial; so that matter was to rest there. In the end, he moved

for rejecting the Petition. Lord Granville spoke next, agreed entirely with the C———r's exposition of the Law, and said he would even go further, and cited a very learned and eminent Lawyer of our Country, M'Craigie, who had lately, in the Case of Hamilton, wrote a very fine paper on that Subject; and made an encomium on him in much finer words than I can pretend to remember; but said, that they were to support their own order and dignity, and do justice, without shewing favour or resentment. That the Prisoner had made a legal Demand, and that it must have a legal answer; and that the Petition could not be rejected, but on the supposal of falshood in the Allegation. On which, the D. of Newcastle said, it was on that Supposal he moved it, and referred to the Advocate's letter. The D. of Argyle then said, that the debate might have been much shortened, as it was only Allegation, and no proof offered to support it; which the house ought not to notice; said, that something more was couched in the petition than appeared openly, and meant, if possible, to throw dust in their eyes; that if it was real want of Support to defend himself, that the petitioner knew well little or nothing could be got out of his Estate, or any other Highland one, for that purpose, by the unhappy situation those parts had been in for some time past. So it carried, to reject that Petition; on which, the prisoner desired to be brought to the Bar; and told the Lords he had heard that it had been thrown out [because] he had no proof of the Allegations in his petition: he said, he came prepared with full and legal proof, and had an instrument or protest in his hand, taken against the Factor, for not complying with the Orders of the house; but that paper was refused. He said some strong things with regard to his unhappy situation, and read some strong epithets with regard to Ferguson and the Factor, and seemed to be very much moved on the order for his withdrawing the second time. There was a very full house; and his Royal Highness the Duke attended, as did almost all the members of our house in Town, you may be sure. His second petition was, desiring leave for his Agent, Willm Fraser, to have access to him; which was granted, with the proviso of an Officer of the Tower being present; which proviso was proposed by the Duke of Argyle, and agreed to. Several of your acquaintance enquire frequently for you.

I ever am yours,

London, Jany 13th, 1747. N. M. L.

No. CCCXLV.

From Sir Arthur Forbes to the Lord President.

London, April 9th, 1747.

IT's astonishing w^t^ what resolution and *sang-froid* Lovat dyed to-day. He said, one of his predecessors 500 Years ago had dyed in the same way for his principles; that his principles had been constant and invariable; that in the course of his life he had never betrayed them, nor any body; nor should any Peer or Commoner be hurt from what he should say. He ended at *Dulce et Decorum est*, &c. and laid down his head. His Conversation in the Tower has all along been in the same strain. He said, the Day before he dyed, he was never in better spirits; and did tell Doct^r^ Clark, that the Tower was a better receipt for the spirits than the Vomits he used to give him.

Yours, &c.

A. F.

Tho' Macleod could write you many more things (at least as I suppose), he desires to be excused till Saturday. Lovat said, he dyed as a Christian, and as a Highland Chief should do; that is, not in his Bed.

I'm seized w^t^ a *Maladie du pais*; so must see ye soon.

No. CCCXLVI.

No. CCCXLVI.

Mr. Alex. Brodie to the Lord President.

My good Lord,

AS Sir Arthur and McLeod write to you so frequently the occurrences here, I need not trouble you with a repetition of them; especially as, since Tuesday last, there has nothing remarkable happened, except Lovat's dying * with courage and decency, forgiving all Mankind. He, I am told, blamed your Lordship & McLeod for somewhat; but I have not heard the particular. I hear, he blamed Gortuleg, to whose care he trusted some of the papers produced against him; and said, that Gortuleg was a Pupil or a Spy of your Lop and McLeod. Sir Lud. Grant tells me, he regretted ever having differed with his Family; and that his provocation ag^t Sir James Grant was, that your Lop told him, Sir James had solicited to take away his Company from him.

My good Lord,

Your Lop's most faithful, most obed^t,

and most obliged humble Servant,

London, April 11th, 1747. ALEX^R BRODIE.

No. CCCXLVII.

The Earl of Stair to the Lord President.

My dear Lord, Edr, Ap^l 30th, 1747.

I GIVE your Lop the trouble of this Message, to thank you for the many marks of your friendship which I have received; and to beg of your Lop, that you will now & then take into your Consideration, & give your best Advice to my family, which very probably may fall into distress; tho' for many years past the family has been, without varying, attach'd to the Honor & Interest of their Country; & tho' I myself, personally, have had the good luck to be usefull more than once to the present Royal Family. My dear Lord, I shall not make you any other compliment on your behaviour as to publick matters of late, than of my haveing seen & approv'd of most of the things you transacted dureing the Rebellion; &, as far as I understood, of what your Lop propos'd for makeing an end of this unhappy Rebellion. I am, with the greatest affection & esteem, my dear Lord,

Your most obedient & most h^ble Servant,

STAIR.

No. CCCXLVIII.

Mr. Fox to the Lord President Forbes.

My Lord, War Office, June 1st, 1747.

I AM commanded by H. M. to write to you, & to desire that your Nephew would use the utmost expedition in raising a Company, of which he is to be Captain, to consist of 100 Men, 4 Serj^ts 4 Corporals & drums; which are to be at Portsmouth by the 25th

* He indeed died nobly, repeating several quotations in Latin, especially the *Dulce et decorum est pro patria mori* of Horace. He ate heartily during his whole confinement, even the morning of his execution, and went to the scaffold in cheerful and easy conversation with those about him. He gave the executioner some instructions and ten guineas. The purse brought to him for holding the money was not so handsome as his Lordship wished; but he said, few people such as the executioner would refuse it with ten guineas.

of

of August next; where they will find Arms, Accoutrements, & Cloathing; and it is H. M^s^ particular direction to me, that I desire you not to be nice as to the principles of those you enlist; but, on the contrary, rather to chuse those whose loyalty has of late been most suspicious. They are desig^d^ for foreign & not European service. Your Nephew has been wrote to, by order of Mr Pelham; but there is not time to wait for his answer. These Companys are much sought, because it is thought they are to go to the E. Indies; and, in confidence, I will to you own, that I believe they are. The 1st L^t^ is an ½-pay Ensign, & a Scot, a good Officer, & the two 2^d^ L^ts^ are left for your recommendation of such as are most serviceable to you in raising Men. Should y^r^ Nephew decline this Command, you will, I hope however, employ two 2^d^ L^ts^ to be recommended by you in raising the Company in the Manner above prescrib'd, & let me know it. I am, with great Respect,

My Lord,

Your Lordship's most obedient humble Servt,

H. FOX.

Mr. Adair, who is Agent to these Companys, will send you this Letter by Express; together with the beating-order, & Commission to y^r^ Nephew; whose Commission in Fowkes's, you may be assur'd, will not be vacated till I hear he accepts of this.

No. CCCXLIX.

Mr. (afterwards Lord) Lyttelton to the Lord President.

My Lord, Argyle Street, November ye 10th [1747.]

NOTHING could give me more pleasure than any Occasion of shewing the sense I had of your Lordship's great merit, and endeavouring to deserve the honour of your friendship, in the only way I can hope to deserve it, by sincerely and cordially giving you mine. But had I not had the happiness of being personally known to your Lordship, I should, meerly as a friend to my Country, have wish'd that some proper returns might be made to the eminent Services you have done it, at a time when they were so necessary, and when a Zeal of that kind was so rare and unfashionable in your part of the world. Nor can I persuade myself, but that Mr Forbes will feel the effects of his Father's Merit, in a manner more fitt for him than what I askt would have been; and I am confirmed in this way of thinking, by Mr Pelham's assurances that he had very strongly recommended his promotion to the Duke, and did not doubt of success.

I shall, however, take the first opportunity to remind him of it again; and let him know how greatly I think the honour of the Government will be concern'd, not to suffer your Son to have any reason to quitt the service, unless it should be more agreable to him, and to you, to have him rewarded by a civil Employment.

I am proud that your Lordship approves the manner in which I delivered my sentiments on the Jurisdiction bill. As I was thoroughly sensible of the delicacy of the subject, it was not without some apprehension that I communicated my Speech to your Lordship, and am very happy in its having received the Sanction of your Judgement. Nor am I less pleased with your approbation of the little work that I sent you in print*. When I ventured to publish it, I was well aware that I should draw on myself the censure and ridicule of the Fashionable World, and of many of those who are esteem'd

* This must have been his *Dissertation on the Conversion of St. Paul.*

the

the wisest among us; but, I thank God, that did not dishearten me: on the contrary, I thought it the more my duty, convinced as I am of the truth of the Christian Religion, to resist the torrent that runs so strongly against it, and not to be ashamed of professing it openly, or giving my reasons for that profession; when it is almost taken for granted, that whoever thinks with any freedom has given it up. I have the satisfaction to hear, that my having done this has made some people consider it with more attention and candour than they would have otherwise done; which alone is more than enough to overpay me for any Contempt that I may suffer from others on this account. I hope, as in this, so in all other instances, that I shall always preserve as much disregard to unjust censure or scorn, as desire of meriting a well-founded esteem; and prefer the good opinion of one such Man as you, to that of thousands whom fashion or prejudice may bias against me. Allow me, dear Sir, to return you my warmest and most gratefull thanks for the friendship you offer me, which I accept with the greatest joy, and shall be ever ambitious to deserve and improve. I have not yet had conversation enough on the subject of Scotland with the friends you refer me to for an account of the state of that Country, to be able to say more to your Lordship concerning it, than that I heartily wish rewards to those who have merit, there, may not be too long forgot or delay'd. Certain I am, this is a time when the utmost attention is due from the Government both to its friends and its enemies in that part of the Kingdom.

I am, with the truest and most respectfull Attachment,
My Lord,
Your Lordship's most obliged
and most obedient humble Servant,
G. LYTTELTON.

No. CCCL.

M[r] Will. Forbes to M[r] John Forbes, of Culloden.

D[r] Sir, Edin[r], 17th March 1748.

I RECEIVED your's; and in answer to that part of it, by which you want to know how your Father, on his Death Bed, expresst himself with regard to the losses, dammages, & expences which your Uncle the late Culloden, and his Lordship, sustain'd by the two late Rebellions in Annis 1715 & 1745; you'll please mind, that I told you, the second day after his Lordship's interment, that he had, upon the first day of December last, sent for me, and enjoyn'd me, how soon you came to Scotland, to communicate to you several particulars which he then told me; and all which particulars, immediately after I parted with his Lop, I took down into wryteing, in way of memorandum; which memorandum I read over to you. But, as his Lordship told the same things to M[r] Forbes, Writer to the Signet, which he says he also took down in wryteing, and that you was so lucky as to come in time to hear the same things from his Lop's own mouth, a very short time before he dyed, you must certainly know the whole as well as I do. However, to satisfy you, I do sincerly declare, upon the word of an honest man, that amongst the many expressions and instructions he told me to be communicated to you, the following was one:

" You will also tell my Son John, that his Uncle had been a great looser, as he " himself was, by their outlays during the Rebellion 1715. That his Lordship was " a vast looser by the Rebellion 1745; for that his factor Thom. Steuart had ex-

"pended about three years rent of his Estate of Culloden on it, and putt him in "debt otherwise considerably; which he never discovered untill he returned from "London, nor until the death of Stewart; that he himself had thrown out and spent "great sums of Money otherwise, whilst the late Rebellion subsisted; which he had not "adverted to, nor demanded Payment of, and for which he thought himself highly "blameable."

What is above, is exactly the meaning & substance of what his Lop exprest upon this Article; and I shall not be positive, if he did not express it in the same words. I hope to see you before you leave this place; and if I shou'd not, I wish you a happy journey; and that you may believe that I am, most sincerely,

Dr Sir,

Your affectionate Cousin,

and most obedient faithfull Servt,

WILL. FORBES.

No. CCCLI.

From Sir Andrew Mitchel to the Revd Mr Murdock.

My Dear P. Richmond, in Surry, Saturday, 27 August.

OUR dear friend Thomson died this morning about four o'Clock, after a very short illness. His distemper appeared first in the shape of a tertian; but soon ended in a continued fever. I am here to see the last duties fairly paid. I am almost sunk wt this last stroke.

Your's, affectv, A. M.

No. CCCLII.

Dr Armstrong to the Revd Mr Murdock.

Dear Peter, London, Augt 30, 1748.

YOU must have seen a piece of News, by this time, that could not fail to surprise and shock you. Poor Thomson died last Saturday morning of a fever, which at first appeared to be an intermittent; but in a short time degenerated from a fever, which I hoped would do him a great piece of service, by scouring his habit, into the low nervous malignant one which soon proved fatal to him, as it has to many. This blow makes a hideous gap; and the loss of such an agreeable Friend turns some of the sweetest scenes in England into a something waste and desolate; at least for the time: it will be so for a long time with me; for I question whether I shall ever be able to see Richmond again without sorrow & mortification. I am obliged to you, my dear Friend, and my Brother too gives you many thanks, for the hint in your last; but he is not yet so sick of London as I am.

I had a Letter not long ago from my Brother at Ruthwell, who desired his Compliments to you and John Lindsay. I dined in Company with Mr Sargent to-day: he told me, you had favour'd him lately with a Letter. Melvil and all other Friends are well; and whenever the toast goes round, John and Peter are amongst the first. I waited on Mrs Millar and Miss Peggy this morning, but did not see Millar himself.

They

They arrived last night, and bestow great encomiums both upon the Country and people where they have been. George offers you his best compliments. I beg you will write to me soon, and let me know whether you are not to be in town soon. Farewell, my dear Peter; and may you live long and happy, is the selfish wish of

Your affectionate

JOHN ARMSTRONG.

No. CCCLIII.

The Rev. Mr Murdock to Mr John Forbes.

My Dearest J. Naiton, 2d Sept. 1748.

YOU will have had the most unwelcome news of the death of our dear friend, I received it only this morning; and must own that nothing in life has ever more shocked and afflicted me: it makes such a gap, as the Dr in his Letter to me calls it, in the circle of our acquaintance, as nothing can repair; yet we must bear this and every thing else in life, till we ourselves are released. My first concern, dear F. after I was able to recollect myself from the shock, was the pain and misery it must give your affectionate heart, and which nothing but time can alleviate. Yet remember, dearest J. there remain a few still, that love you as he did; and all we have to do is, to unite closer, and cherish his memory, and each other, till we are called where he is gone. I beg to have if it were but two lines, immediately on receipt of this; and altho' your friends in Town will have wrote you particularly on this melancholy occasion, I have thought fit to enclose the two Letters I received, which you will keep till we meet, which I hope may be in two or three months. I beg my kind remembrance to the Dr & J. Steel, and ever am, Dearest F.

Your P. M.

No. CCCLIV.

Dr Armstrong to Mr John Forbes, of Culloden.

My Dear John, London, Sep. 3d, 1748.

GOD grant you the continuance of your health; and may you prosper in every thing while you live! It comforts me not a little, that, besides your natural right to outlive me, there are other circumstances in your favour; for, of all mortifications, the loss of a dear friend with whom one has been often happy, is to me the most insupportable. The loss of such an agreeable friend as poor Thomson is so much the more shocking, that it was unexpected by every body. He died of a malignant nervous fever, that came upon the back of a tertian; and I had no notice of his being in any danger till I saw it in the most formidable shapes. It is certain, nature was oppressed in him with a great load of materials for a disease, not to be easily thrown off by a constitution so much worn as his was; and if he had struggled thro' that Fever, there are many reasons to believe, that it must almost unavoidably have been followed by some lingering disease, much worse than a speedy death: this is the most comfortable light in which I can view this shocking loss. Besides, I think him greatly to be envied, to have got fairly rid of this rascally world, and to have left it so universally regretted. We are to be pitied that are left behind; and if it was not for a very few friends whom I have still remaining, and who I have reason to hope will live as long as I, life would soon become too tedious and melancholy to be supported.

ported. I have often been tempted to wish, that nature had made me a little more callous; but then we should lose sensations too that give perhaps the most exquisite pleasures: there is even a luxury in melancholy; and I do not know, whether it is not best to indulge it, at first, and give it a full vent, that it may exhaust itself, and leave the mind restored to its natural serenity, after those heavy clouds have fallen.

I have the pleasure to tell you, that all other friends are well; Mitchell, Millar, Melvil, Sargent, are all well. I had a short letter to-day from poor Peter, who is quite inconsolable. I beg, my dear Forbes, you will write to me soon, and let me know how soon we may hope to see you here. George offers you his best compliments; and I am always,

My dearest Friend,

Your most affectionate

JOHN ARMSTRONG.

No. CCCLV.

The Revd Mr Murdock to Mr John Forbes of Culloden.

My dearest Forbes, Ipswich, 8th Septr 1748.

ALTHOUGH I wrote you but two posts ago, I cannot let pass any opportunity of conversing with you; now, that I know you to be oppressed with the deepest melancholy, and in need of all the consolation your friends can lend. But, alas! what can I say? who myself as much stand in need of a comforter. We have lost, my dear F., our old, tryed, amiable, open, and honest-hearted Thomson, whom we never parted from but unwillingly; and never met, but with fresh transport; whom we found ever the same delightful Companion, the same faithful depository of our inmost thoughts, and the same sensible sympathising adviser. To pretend to be stoical on such a loss, would be an impertinent belying our characters; our tears must flow, and time alone can dry them. Yet we ought not entirely to abandon ourselves, nor overlook such considerations as may be useful on this occasion, and which ought indeed to have a very great weight with us; such as the happiness which our dear friend now enjoys; to doubt of it, of a Soul like his, would, I think, be little less than arraigning the divine goodness. We may likewise rest persuaded, that this so early period of his life (alas! too early for us) was yet for him the very fittest and best. Infinite wisdom does nothing in vain; and, without prying too curiously into its designs, it is easy to imagine a variety of events that might have rendered his life uncomfortable. Now he is risen from the banquet of life, not cloyed nor disgusted; his fame unsullied, his spirit unbroke; without tasting the distress and misery of old age: and perhaps it were too selfish, as well as impious in us, to murmur at what Heaven has undoubtedly ordered for his good. Think likewise on his own behaviour on the like occasions. He lost Charles Talbot, as we have him; and tho' he retained to his latest hour a most devout veneration of that excellent person, yet he did not consume himself in unavailing grief. He remembered, and commemorated him, in that pious and affectionate manner, that we shall ever remember them both. At the same time he acquiesced in the sovereign will of Providence; and bore his loss (the greatest, in all respects, that could possibly befall to him) with a manly fortitude. Think likewise, that if any thing earthly could disturb the happiness of our departed friend, it would be to see an unbecoming

excess

excess of grief in those whom he loved. I think I hear him kindly chide us, and point to a passage in his *Seasons* *, that admirably suits our case.

Besides all this, my dearest F. you know you always stricktly enjoyn me to take care of my health: I am doing so at present; struggling hard against every thing that would sink me, in the dear hopes of being yet happy in your embraces; but remember, dear F. the tye is reciprocal; you must take care of yourself for my sake. You must call in the assistance of Company, business, and visits. And tell J. Steel, as he loves me, to see to this. I have time to say nothing more on this subject, which it were easy to enlarge on; but your own thoughts will supply the rest. God Almighty bless and preserve you. Let us ever cherish the Memory of our dear friend; profit by the inimitable lessons he has left us; and love one another with that affection which united the little Circle of his bosom friends, and with which I shall to my death subscribe myself,

Dearest F. Yrs.
P. M.

No. CCCLVI.

Mr Millar to Mr John Forbes of Culloden.

Dear Sir, London, 10 Sept. 1748.

I THANK God, we all arrived safe here, after a most agreeable journey, on ye 29th of Augt. But ever since I have never been able either to act or think; for ye very evening our dear friend Thomson was buried. How it's dampt all my joy, you, who knew him well, and how I loved him, can best feel. I realy was not able to write you; and if ye inclosed had not come last night, I question if I sh^d now. Mr. Mitchell spent the evening with me; we remembered you kindly, and all surviving friends. Poor Mr Lyttelton is in great grief, as indeed are all his friends; and even those y^t

* The Passage alluded to by Mr Murdock, very probably, is this, the conclusion of Thomson's Winter:

" 'Tis come, the glorious morn, the second birth
" Of heaven, and earth! awakening Nature hears
" The new-creating word, and starts to life,
" In every heightened form, from pain and death
" For ever free. The great eternal scheme,
" Involving all, and in a perfect whole
" Uniting, as the prospect wider spreads,
" To reason's eye refin'd clears up apace.
" Ye vainly wise! ye blind presumptuous! now,
" Confounded in the dust, adore that Power
" And Wisdom oft arraign'd: see now the cause,
" Why unassuming worth in secret liv'd,
" And dy'd neglected: why the good Man's share
" In life was gall and bitterness of soul:
" Why the lone widow and her orphans pin'd
" In starving solitude; while luxury,
" In palaces, lay straining her low thought
" To form unreal wants: why heaven-born truth,
" And moderation fair, wore the red marks
" Of superstition's scourge: why licens'd pain,
" That cruel spoiler, that embosom'd foe,
" Imbittered all our bliss. Ye good distress'd!
" Ye noble few! who here unbending stand
" Beneath life's pressure, yet bear up a while,
" And what your bounded view, which only saw
" A little part, deem'd Evil is no more:
" The storms of Wintry Time will quickly pass,
" And one unbounded Spring encircle all."

did

did not know him; but I can add nothing to ye inclosed, and therefore shall leave that melancholly subject to us, tho' to him full of joy; on wch Acc^tt^ we ought to submit.

Mrs Millar and Miss Johnston not only like but admire Scotland: the Country was all in its beauty, and the people all vied w^t^ one another to make us happy; and indeed we were compleatly so; so much y^t^ we are quite in love w^t^ it, and think we shall be soon there again. We are extreamly oblidged to you for y^r^ kind entertainment at Beltonford. Honest Mr. Baxter dined wth us there; but was sent for, so y^t^ he could not spend ye evening. We remembered you wth great affection. Mrs Millar and her sister, wth my little boy, join wth me in remembering you w^t^ great affection; and I ever am,

Dear Sir,

Y^r^ most affectionate hum. Serv^tt^,

AND^w^ MILLAR.

Note.—How well all the Letters regarding Thomson show the truth of Johnson's remark in his Life, that he was much beloved by his intimate friends!

No. CCCLVII.

From the Rev. Mr Murdock to Mr John Forbes.

My Dearest F. [probably Sept. 1748.]

I RECEIVED yours long expected; and would have answered it last Week (when I was in Town), but for the hurry I was in the few days I staid there; and because an Affair, which was then under Consideration, has been just now settled. It is this: when my pupil was designed to go abroad, as he will in a fortnight, enquiry was made concerning a proper place for him, and a proper person to go along with him; and great difficulties occurred as to both. At last, to relieve the worthy father from this embarras, I have consented to conduct him to Geneva, and see him fairly entered upon his studies and exercises; after which I am to leave him in the best hands I can find. We are to set out in a fortnight, the direct Road by Calais, &c. and it may take me near three months ere I can be back at London, where I shall then hope to meet you, and shall write you often while I am absent. This is a piece of service to my worthy patron which I could not shun, and all my friends approve of it; they are all affectionately mindful of you, and in good hopes of success, with patience and time. I shall write you once more before I go. The Admiral drinks your health twice a Day; and, with my love to J. Steel & D. F. I ever am,

Dearest J.

Your P. M.

Messrs Lyttelton & Mitchell are acting a most excellent part in regard to our poor deceased friend's * affairs.

No. CCCLVIII.

The Revd Mr Murdock to Mr John Forbes.

My Dearest F. 16 May 1754.

I HAVE received yours of the 20th April, in which you complain that I owe you two Letters; but you will have received one of mine since; and I need not repeat the excuse I then made. You will have heard, perhaps more particularly than I, the turn of M.'s † affairs. He wrote me nothing himself (being always in hurry and uncertainty,

* Thomson the Poet, who died Aug. 27, 1748, leaving the Gentlemen here named his Executors.

† Probably Sir Andrew Mitchell.

and in deep concern for the last sickness of poor Warrender, who died at his house this day s'ennight); but what I can gather from Millar's Letters is, that the Minister desired him not to go down, and gave him hopes of another seat. So that he is, one would think, in honour bound to take care of him; and if he does, it will be a saving of the great charge and fatigue which that Journey must have cost him. For in all political matters, it ought to be one's chief care to preserve his own private fortune free and independent, however small it may be. You ought therefore, my dearest F. not to indulge either grief or resentment on what has happened; and keep your mind to yourself. M— bears all with the greatest composure; and for my own part, I can foresee, without being a prophet, that this will in all probability end to his Advantage and Satisfaction. Did you ever read or hear of an eminently good man, that had not the envy and artifice, and lies, of bad men to struggle with? It is impossible it should be otherwise; because his virtues are a continual reproach to them; and it happens often, that their Machinations fall upon their own heads, and cover them with eternal shame. But in whatever manner the great folks behave to him, I defy them to make him unhappy, as long as Virtue, and Conscience, and Character can support a Man; which I believe they can do, were he wedged down to a galley. His honesty, and superior talents for business, are acknowledged and admired; and what he is in private life you and I best know. Has he not been as a father to us both? the same to M'Laurin's family, to Thomson, and of late to Warrender; and to many others that we never heard of? and all with a narrow fortune, and moving in an inferior sphere. In a word, I can find no one to compare with him, but Sir Charles, in Richardson's last book. I believe our friend would in most cases act just like that ideal Baronet, whose Character you should be acquainted with, if you are not already; and then tell me if you do not think the same. There are, no doubt, many Gentlemen of great worth in that house, both from this side of the Tweed, and from yours; but none his superior in all the essential qualifications of a senator: and it will do no honour to the Politicians concerned, to see him sacrificed to the mean resentments of a man whom nobody loves, and who visibly derives his importance from the weakness and indolence of others. But enough of this; since our friend himself is easy, we have nothing to do but to be quiet, and wait the issue. There is nothing new in my own affairs; whenever there is, you shall be the first informed. I enjoy good health and spirits; to which your Letter, and the Acco^ts you give me of Mrs F. and Dunkie's welfare not a little contribute. My hearty prayers for continual happiness to all of you; and I am ever,

Dearest F.

Your own, &c. &c.

M——r writes me he has done his part; and I hope you will very soon have put all your affairs in perfect good order.

No. CCCLIX.

The Rev. Mr Murdock to Mr John Forbes.

Dearest F. Stradishall, 26th May 1757.

I HAVE this moment received two Letters, which I shall transcribe for you as fast as I can.

" Convent

" Convent of St Margaret's, near Prague.
" Dear Pattie, Friday, 6th May 1757.

" This Day the K. of Prussia has gained a most glorious and compleat Victory " over his Enemies, upwards of 100;000 men. His Army, that fought, consisted of " 70 or 80,000. He and all the Princes are well. We have lost the brave and " worthy Marechal Schwerin. All your friends are well.

" Yours affectionately,
" A. MITCHELL."

The other is from Mr Symmer (24th May).

" Mr Mitchell's Valet de Chambre was dispatched the Day after the Action, with " letters to the Duke, and thence hither; but had the misfortune to be detained at " Helvoet Sluys by contrary winds; so that he arrived here only this morning. He " tells me, Mr Mitchell was left by the K. under the protection of General Keith, who " was posted on the west of Prague with about 30,000 men, together with the " Prince Royal and Prince Ferdinand. To the South of that, Prince d'Anhalt Dessau, " with about 10,000 men, was posted. This to bridle the garrison of Prague, and secure " the K.'s retreat if he should have been obliged to give way. The K. with Mareschal " Schwerin, Pr. Henry, and other Generals of an inferior rank, engaged the enemy. " The Action began at 9, and did not end till 3, and was most desperate & bloody. " The Prussians at the beginning were twice repulsed, or rather checked, in their " attack. Upon this, the brave Mareschal Schwerin snatch'd a pair of Colours out " of an Ensign's hand, and, calling to his men, marched in upon the enemy. The " Enemy then gave way; but unhappily the M. dropt. By all we can learn of the " Battle, it appears to have been one of the greatest Victories that have been " obtained since that of Blenheim. Mr Mitchell (as his servant tells me) saw it " from an eminence, in company with Mareschal Keith, and the two Princes."——
I have time only to add, that I am, you know with what affection, Mrs Forbes's, Dunkie's, and

Your faithful humble serv^{t},
P. M.

Communicate this with Kemnay.

No. CCCLX.

Mr John Forbes to Alexander Rose.

Sanders, Hampstead, June 5th, 1764.

OUR dear kind friend Doctor John Armstrong, who is takeing a jaunt through Scotland for his health and amusement, will deliver you this. Let him want for nothing that the Sea, the River, or the Hill, can produce. Be as kind to him as you would be to

DUNCAN FORBES.
WILLIAM FORBES.
P. MURDOCH.
Poor Little ARTHUR FORBES.
JOHN FORBES.

P. S. You

P. S. You must go allongst with him, and show him Bunchrew; my father did so to those he lov'd.

I desire that Bell Fraser, Dunkie's nurse, may sing M^c^Gill Tou Kerou to him.

Take good care of your honest old Father and Mother, and yourself.

I am your sincere friend,

JOHN FORBES.

To Alexander Rose,
Factor of Ferrintosh,
at Culloden.

No. CCCLXI.

The Lord President to the Revd Mr W. H.

[No date.]

R. S.

I HAVE with no small Entertainment to myself penned Mr H.'s papers, which you sent me. When you desire to have my opinion of his undertaking, you pay by much too great a Compliment to my Learning, which is but poor, in what relates to his subject. To judge of his Design, a thorough knowledge (so far as such a thing can be come at) of the Hebrew Language is necessary; and my Lot in Life has been so chalked out for me, that the duties of the station I have gone through have never left me leisure sufficient to gratify an Inclination, which was very strong, to enquire accurately into that matter. I know enough to be entertained with what is curious, and wish to know more; but I do not know enough to qualify me to decide.

In this situation, tho' I cannot take upon me to pronounce, that Mr Holloway's System will answer the Expectations he has conceived of it; yet I must confess, I wish he may meet with due Encouragement to go on with his design; that the world may see what Industry & Ingenuity such as his seems to be, guided and prompted by a zeal for Truth and Religion, may produce. Were the true sense, & proper Idea, intended to be conveyed by all or the greatest part of what are called Roots in the Hebrew Language, settled so as to be acquiesced in by the learned, Mr H.'s undertaking might seem unnecessary; but as, confessedly, nothing that has given universal satisfaction hitherto has been hit on; and as the obtaining such satisfaction seems of the highest consequence, I think a man of Learning, Industry, and Invention, cannot better employ his leisure, than in trying to discover what so many ingenious Men have labour'd to find out in vain. For, tho' he may perhaps fall short of his main aim, some things useful, and many things curious & ingenious, may be the result of his labours; whereof there are several Instances in the Papers which I have perused. Some of these Instances are very flattering; & if the principle he goes on is just, the gross of the language must have been found in the same manner: one cannot, however, give an absolute assent to what even one wishes were true in the particulars proposed, without examining how far the same sort of analysis, applied generally, will answer; because tho' accidentally some words may be so formed, that a fruitful imagination may (using Industry) discover Roots from the combination whereof they might have been composed; yet if the bulk of the language does not comply with such rules, the conclusion, that the Account given of those particulars is just, will not follow. And therefore it is, that I wish Mr Holloway may meet with encouragement to enable him to go on, and exhibit to the public his further Meditations on this Subject.

I foresee, however, that he must meet with several difficulties to grapple with; one whereof is, that as we have not one Line of Hebrew now extant, but what is contained

in the Old Testament, a vast number of Roots, & Words, must necessarily be irrecoverably lost; which, had as many books been possessed in that language as have been in Greek & Latin, would still be forthcoming. Now from this it may, & indeed must happen, that tho' Mr Holloway's Rule were absolutely true, it may not be in his power to assign the several Roots from whence many important words may be supposed to have been taken; and yet if he fail in many particulars, his principle will be supported.

Another difficulty is, that the inquisitive part of Mankind are not agreed as to the causes & manner of the production of physical effects: now, as he is willing to derive words that signify the actions & perceptions of the Mind, from Roots expressive of the Conditions, Qualities, & effects of material agents, until Philosophers are agreed as to the mechanism by which the operations of Nature are carried on, his observations, however ingenious, & possibly true, must have the less universal Influence. And a third difficulty he will have to surmount is, the vanity & the obstinacy of those who have grown old in pursuing the hitherto beaten Path; who have given up their understanding to the fanciful conceits of the lowest Rabbies, and of several ingenious Christians, who have ever relied on the simple Grammar, or who have rummaged all that remains of the Chaldean and Syriack, together with the infinite store of Arabick that has been produced later (I think every line of it) than the Hegira of Mahommed. To fix the original and genuine sense of words made use of in the Scriptures 2 or 3,000 years ago, those Gentlemen will be very unwilling to give up the learning they pride themselves in, and some part whereof I believe may be useful; and from those I fear he will meet with discouragement. But I should nevertheless hope, that the Generality of the Curious, who are not bigotted to any particular set of Notions, will be glad to see how far Mr Holloway can carry his Principles; which, if they are to be maintained, will open a new and a very agreeable scene of Meditation.

From the reflections which I have hastily flung out, you will observe two things; the one, that I truly am that unlearned person that I honestly professed myself to be at the beginning; the other, that I without Ceremony obey your Commands.

I herewith return you the Papers, & am, with the greatest Respect,

R. S. Your most obedient & most humble Servt,

DUN. FORBES.

No. CCCLXII.

Mr. James Thomson to Mr John Forbes.

[No date.]

Dear Forbes,

EXCUSE me: this unseasonable cold weather has given me a Head-ach, which forbids me the pleasure of waiting on you and the company that is to dine with you. I have received too a Letter from Gray, wherein he tells me he has got a sore throat, and cannot venture out to-morrow. But, to make myself some amends, we will dine together to-morrow, either here, with you, or at the Bohemia Head. The Walk will do us no harm.

Yours, &c.

JAMES THOMSON.

No. CCCLXIII.

M[r] James Thomson to M[r] John Forbes.

[No date.]

D[r] S[r],

I SENT about seven of the Clock to the Rainbow; but they told you was gone to the Play, and would return after it. If you please to come hither, I shall be very glad of your Company. I am at the Bedford Arms, in the Piazza of Covent Garden.

Yours ever,

Near 9. J. THOMSQN.

No. CCCLXIV.

M[r] James Thomson to Mess[rs] Forbes, Warrender, & Gray.

[No date.]

Chers Messieurs,

I DID not get Millar's Note till after three; so cannot pretend to be at Brentford time enough to dine with you. Besides, my own Dinner will be ready at four. So soon as I have dined, I will walk down the Lane, either to find you at the three Pidgeons, or meet you by the way, and so conduct you hither. I wish you had given me a Line by Yesternight's Post.

Yours, &c.

J. THOMSON.

No. CCCLXV.

D[r] Armstrong to M[r] John Forbes.

[No date.]

My dear F.

AS the D——l, my particular Enemy, would have it, I can't go with you. God send us good Luck in the Lottery! If mine comes up a ten thou[d], I intend to turn Gentleman; for if I drudge more, poyson me. My service to Thomson.

I am ever yours,

Sunday, near ten. J. A.

ADDENDA.

No. CCCLXVI.

State of Things in 1696.

[This Statement is by Mr Duncan Forbes, of Culloden, who was Member in the Scotch Parliament at the period of which he treats; and was alleged to have contributed to the Protestant Succession, and to have supported it as ably as any Person of his time: he is repeatedly mentioned in Carstares' State Papers.]

THE Providence of God puts often occasiones in Mens hands of advancing his Glorie and ther own good; which occasiones (by the misguiding of those in whose hands they are put) being once lost, God in his judgments suffers Calamities to increase; and then Men in their Misery have nothing left them but a ground of dispute anent the reasones of their miscarriages, and a debeat who are most to be blamed.

It can hardly be found that ever Scotland was in a worse taking than that it was in before this last Revolutione; or that any people had a better occasione of redressing their wrongs, & settling yr liberties, to the honour of God and good of Posterity, than they had by this Revolutione. And yet hardly shall it be found that ane occasione of this nature was ever more mismanaged than this has lately been, when ther has litle more arrisen to us yet than the unhapie debeat amongst ourselves of who is most to be blamed; and that is pursued so closly with calumnies against some, and artifice in vindicacone of oȳr, that, without a true informatione of matter of fact from some who perfectly know it, its hard for honest men to distinguish who have been in the right, or who in the wronge.

Therfor it is thought fitt to make a Memorandum of what passed since the meetting of the Estates in some few articles.

The Estates haveing mett, it was soon found that the stronger partie ther was of such who wished the freedome of ther Church from Prelacie, and the freedom of ther State from arbitrarie Government. Any who was led by both or either of these Principles cemented so close together in favour of the Revolutione, and to sett up this present King, that every point seeming to retard or delay was by them thrown out of doors.

Upon the oȳr hand, the adverse Partie, being solely made up of Prelates, and such as, under the notion of serving them in the last Government, had persecuted and advanced tyrannie, believing, from a guilt of conscience, no salvatione to be for them but in the standing of King James, used all ther endeavours, by force and artifice, to hinder, or at least retard, all proposalls in favour of King William.

And though (as is said) the far greater part of the Estates were for him, yet those who were for him were not so for him as to throw the Government blindlie in his hand, without declareing the priviledges of the nation, and makeing the preservatione of these rights and priviledges the conditione of the conveyance that they were to make of the Crown.

It

It is to be observed, that those who were against the declareing of the vacancie were no sooner overcome in that, but they were all (excepting one man) for giveing of the Crown to King William without any condition or reserve.

It is next to be observed, that when they were overcome in that, and a Committee was named for declareing the rights and priviledges of the natione, and what was grievous in the last Government, to the end it might be redressed; then these Opposers brought in the proposalls anent ane Union with England, to take off the necessity of distinguishing any rights or priviledges that belonged to us as a people; having this befor their eyes, that if we gott the union quickly, it behoved to be with the loss of the freedom of the Church, and the want of reparatione for all the oppressions we had formerly lyen under in the State; or else, if it came to a longsome treaty with England, then ther was a tyme of respite for those of their partie in Scotland to gather strength in behalf of King James, who was then in Ireland.

It is also to be remarked, that amongst those who were most pressing for ane union, S[r] John Dalrymple appeared, as one who till then had said but litle, and at his comeing into the Esteats had promised fair enough to the presbiterrane interest. His election from the Burgh of Stranraer being questionable, Sir William Hamiltown, who had great authority in the Committee of Electiones, put the question to the presbiteriane partie, whether they wished S[r] John's electione to be admitted or rejected? Whereupon they sent for S[r] John, received assurance of his friendship, and believed the same without the least jealousie, while that argument arose anent the unione. However, by a Vote the Union is laid asyd, and the clame of right proceeded upon; to the effect, that after the Crown was given the union might be tryed; and if it miscarried, then at worst they had ther own Priviledges in reserve, if those in England were denied them.

Hithertill had matters succeeded wel; but upon the day of Aprile ther arrose an Argument amongst some of the most active and honest men in the house, at a private conference, how far it was fitt to push the interpretatione of that article anent the frequencie of Parliãts; for it was easilie understood, that the only determined settlement that ever this natione had since the joyning of the Crowns was in the Parliãt 1641; wherein the trienniall Parliãts were established, and the power of consent reserved to these Parliãts in the King's nominatione of Men to places of trust.

As to the first pairt, anent the trienniall Parliãts, it was thought fitt to leive the pointe generall, and not anticipate England, who might perhaps make better conditions for themselves, which would be a coppie to us, rather then that wee should determine in a matter which might be a disadvantageous Precedent for them; so it was left in the generall.

But as to the 2d parte of it, anent the King's putting Men in the Government with consent of Parliãt, it was so absolutely necessarie to the security & well being of the Natione, that all things els without it behoved to be but loose worke; for, to our former sad experience, we had still found the evill effects of the Counsels of Men chosen at random; and that it was impossible to keep Princes (though never so good), if Strangers to our laws, from acting contrarie to them, but by having Men in trust by them, of whome the natione might be confident, and who wold dissuade the invading of the Lawes.

Therefor it was thought necessarie that some one should overture, in the Committee of Estates, that, the King being a stranger, places of trust might be filled up with consent of Parliãt, w[h]out makeing mentione of the Parliãt 1641, because Duke Hamiltown, who was our President, could not hear of it. And accordingly the next day

the overture is made by a Member *, seconded by Sir Patrick Home of Polwart, the Lord Cardross, & Sir James Montgomrie; opposed by the Earl of Craufurd, the Lord Melvill, and some others, who thought it a circumscribing of the King in too narrow bounds, and a distrusting of him. The Duke of Hamiltoun being out of the House that day, severalls of the Committee were not free to enter upon the pointe in his absence. The next day, the Duke being there, the proposall is made of new, and opposed by the Duke with a great deal of heat, as being a stratening of the King, not to leave him free to make use of what Servants he pleased, or to bestow his places and offices to whom he lyked.

To which it was replyed by Polwart, that ther was nothing sought now but what former Kings had granted, and that had been practised, and was the Law of the Land. Nay further, what if the King, through want of knowledge, being a Stranger, or by bad advise, should imploy any of those in public trust now who had been grievous in the late Govern^t. To which it was answered by the Duke & several oȳrs, that that was impossible, and it savor'd too much of distrust to think that the King will doe any such thing; and that he himself had so great confidence in the King, that, had his advice being taken from the beginning, our matters had been referred wholie to the King himself. To which it was replyed by a Member † that they had trust and confidence great enough in the King; but it was certain that the King could not live for ever; and who knew what maner of Man might succeed him? and that the proposall was not made to abridge the power of any good King, but to have the marches ready in case of a bad one. To which it was also added by Sr James Montgomrie, that tho' the King were never so good, yea though he were als good as King Josiah, ther were some things that he wold not reffer to him (meaning, as was supposed, the Government of the Church). The Duke being insensed at Sr James, and my Lord Cardross haveing taken the Debeat off of Sr James's hand, the Duke and my Lord fell so foule that the Motion was laid asyd at that tyme, and never after revived in the Committee. Sr William Hamiltown being challenged ‡ why he did not assist, his answer was, because he knew the Duke wold goe madd; and also he found it would scarce carrie on the Committee; and that ther was no remedy now, but to have the King rightly informed; and when he knew the interest of the natione, certainly he wold condescend to any thing that might secure them ag^t the invasione of futur Princes, or els he did not ans^r the termes of his own declaration, vizt of setleing the Government upon lasting foundations.

Within 2 or 3 dayes y^after Sr Patrick Home, of Polwart, brought in a Memoriall, in full Conventione, upon his overture; which was opposed not only by the Duke & oȳrs, but even by Skellmorly; and gave that as his reasone to Sr Patrick in private, that those who were to goe up with the offer of the Crown might make the proposall to the King himself; and he wold certainly doe in Scotland as he did in England, vizt. imploy Men in publick trust with advice of Parliat; for he had done so there. Thus ended this Debeat; and this I reckoned the first of our wrong steps.

The clame of right, and list of our grivances, being clos'd, the next thing adoe is, to provyd honest men, three of a State, to goe with the offer of the Crown; and who might tell ye King what oȳr Men, with themselves, were fittest to be trusted with the Rule of the Natione. This design was not well sett on foot when it was broke by S^r

* This was Culloden himself. † Culloden. ‡ By Culloden.

James

James Montgomrie, who either persuaded the Duke, or at least gave it out so, that if any more went up but one of a State, the Duke wold leave the Conventione, and goe himself. This had weight amongst the Members, who were studious to stop him upon two considerationes: 1st, Because the Countrey could not well want his presence, being of great authority in that interraign of affairs; 2d, They dreaded he would be no good adviser with the King; either as to the freedom of the Natione, or as to the persons to be employed in trust; but that he wold enhance all to himself and family, which in that case behooved to become tod weightie for the natione; so that when they found the nameing of one only of a State to be the way to keep him at home, it was putt to the vote, whether one or more of a State should be sent up; and it carried, one: this I take to be the 2d wrong step.

The Estates haveing resolved to send up but one of a State, making in all three, then the questione came, who these should be. The far greater part of the House judged the Earle of Argyle, as a Peer (to honour him for his father's sufferings); Sr James Montgomerie, as a Barron (because of his distinct wit and forwardness in the conventione); and Sr William Hamiltoun, as a Borrow (because of his known integrity and knowledge of the lawes), to be the three fittest persones could be imployed, since there were none to goe up but three.

This proposall had its first dash by the nyseness of Sr William Hamiltown; who declared positively that he could not goe, that he wold not goe, nor could he put himself by diet to ryd post upon any termes; but he recommended to the Members the choosing of Sr John Hall, Provost of Ed^{r}, in his stead. As the Members are deliberating anent this, there is a slie insinuatione made by severall emissaries, that now we had put the natione in a great hazard, because the sending up of Skellmorly with Argyle and Sr John Hall, was the same thing upon the matter as if we had sent Duke Hamiltown all alone; it being evident, that Skellmorly was altogether in the Duke's interest, and the other two not of such mettle as to oppose him; or, though they were, the one so much adicted to the Duke, and the oy^{r} * so much wedded to Skelmorly, that his word would give the law; and y^{r}fore ther was ane absolute necessity to joyn somebody with him in the Commission that could ballance him; which very properly might be Sr John Dalrymple.

This proposall took impressione upon very many honest men; in so farr, that when the benches were separated for making the Electione, the votes were goeing very fast, especially amongst the borrowes, for Argyle, Skellmorly, and Sr John, which made some of the borrowes come to the Barrons and Peers, telling them that Sr John Dalrymple wold carry the vote unless Sr William Hamiltoun came to compeet with him; and that now S^{r} W^{m} was content to undergoe the travell. This put the House in a confusione; so that ther was a necessitie of adjorning of that vote untill the Morrow.

That night was a night of insessant solicitations; some imploreing the Members in behalf of Sr Wm Hamiltoune, & oy^{rs} in behalf of Sr John Dalrymple; and these two far more dilligent beseeching the members that they wold not pass from ther votes alreadie given to Sr John; that they would remember, Sr William Hamiltoun was also addicted to the Duke, and that he had particullar prejudice againest Sr John and his family, which was the great reasone he so maliciously medled in his game.

It is indeed true, that in the Committee of Estates Sr William Hamiltoun had brought my Lord Stairs his dealing with the Advocats in Anno 16 under cognisence, as being

* Argyll.

contrarie

contrarie to law; and was vehemently opposed by Sr John Dalrymple, upon his suppositione that Sr William designed to reach his father. The Debeat continued warme betwixt them for two dayes, without the interpositione of any one persone of the Committee; and ended in a vote, that the practice in general should be narrated in the clame of right as contrarie to law, only to prevent the lyke for the futur, but without comeing any nearer my Lord Stair.

However, upon the occasione now in hand this was made use of as ane argument of Sir W^m's medling in Sr John's game out of pique. It was suggested againest Sr John Dalrymple, that he had favoured the Presbiterian interest in nothing; that he had stuck with the Jacobites upon the Unione, and so had retarded the giveing of the Crown; that he had appeared rather for scrimping than enlarging the clame of right; and that he had been shey in owning the proposall of turning the estates into a Parliat: all which weigh'd much with serious people to make them believe him to be ane unfitt persone for redressing of the oversight that was in the clame of right. Yet, so blinde were some of the honestest men in the natione, such as the Lairds of Grant, Brodie, Ormistoun, & some oy^rs, upon whom these had influence, that by the next daye's vote Sr John Dalrymple carried it over Sr William Hamiltoun by 5 or 6 votes; which I take to be the third wronge step.

These Commissioners, with the offer of the Crown, no sooner arryved at London, but they fell in a jangle amongest themselves. Sr James Montgomrie, who found himself feeble against the oppositione he mett with (from his Colligue Sr John his father, my Lord Stairs, who had been constantly there, and my Lord Melvill, who was newly come up, and supposed to be much advised by my Lord Stairs), did write down several letters to my Lord Ross, who was President of the Committee of Estates in the Duke's absence; complaining that, if the Committee did not assist him, by informatione from them to the King anent the inclinations of the Natione as to persones to be put in trust, he could not answer for the success of any thing: upon which the Committee wrote, and in generall termes acquainted the king that he might beware of employing persones in publick trust who had been obnoxious in the late Government, and presumed that His Matie would doe that thing with advice of Parliat.

When the estates mett, the Committee gave ane accompt to the full House what they had done, had the House's approbation y^rupon; and a new Letter was sent from the full meitting, asserting what was wrote befor by the Committee, and furder desyring that his Matie would be pleased to delay the sitting of the Parliat for some dayes, and allow the Duke of Hamiltoun, the Laird of Polwart, and some oyrs, to come up to London, that his Matie might have clear and plaine informatione anent what was to be treated of in the Parliat. This was done to retryve the two last errors, in sending up but three, and Sir John Dalrymple one of them.

The return this had was ane absolute Command to the Parliat to sitt. Within a very few days after ther sitting, they receive the King's nominatione of a Privie Counsell mixt with severals of those that had most appeared against him, and a Sessione wherin my Lord Stairs was President; and several named who would not daine to own him alledgance; and a Commissione to Sr John Dalrymple as Lord Advocat, all docked by the Lord Melvill as sole Secretary of State.

This is also to be remarked, that severall honest Men, such as Grant, Brodie, Ormistoun, &c. were, out of gratitude, named upon the Councill, for ther favour to Sr John Dalrymple in sending him up.

It is also to be remarked, that Cardross, Polwart, Collodin, &c. had been criminat against, for makeing the overture of the King's nameing to places of trust with consent

of Parliãt. Skellmorly, being challenged for it by one of the persons * concerned, declared, that he was quarrelled upon that head himself, and that the thing had been ill interpret there before his arryvall. Stair, being also challenged upon it, wrote his vindicatione; declaring that he knew not who had been the first makers of the motione, until Skellmorly, by putting it off himself, had laid it upon oỹrs. However, now begane every Man to see that the Esteates of Scotland were wise behind the hand, and they had not made their Bed as they wished to ly down. Instead of remedy, the first expressions were but mere annimosities againest Sr John Dalrymple and his faỹ^r; with some resentment ag^t the Lord Melvill; but, upon soberer thoughts, it was projected to divyd my Lord Melvill, who was ane honest well principled suffering man, from the interests of my Lord Stair, who had been in ane evill Government so long, and had left his Sone behind him in it untill the last; so that the grudge begane to cease againest Melvill, allowing of any favors that he gott, and severall Letters are writen by some persones to himself, inviteing him to joyne with such as were for a Countrey interest. Endeavours also are used with his Sone the E. of Levine to bring him off Sr John Dalrymple's interest here at home; and, generally, Men were satisfied how much Melvill had of the King's Ear, provyding that he himself were free from the Councills of my Lord Stair.

It is here also to be remarked, from the Circumstances following, that the generall prejudice ag̃st my Lord Stair was not personal; for Mr. David Fearne, who had formerly been a Servant to that Lord, did upon sẽall occasiones insinuate with some of the Members of Parliãt, and pleaded in behalf of Stair, that he had no hand in the abbruptness of the King's late nominationes. In testimonie whr̃of, Stair himself had refused to the King to accept of his President's place, unless he could be there with the concurrence of men of knowledge and integritie; and y^r for besought the King that he wold sist any furder nominatione, whill he gained the favour of honest and worthie Men, with whom he was as yet under a misconstructione, &c. To make out something of what he said, he letts some of my Lord Stair's Letters to himself, & to some of my Lord's sons, be seen, regrating that he should be so ill interpret: upon which some of these Members wrote to him, and had returns, vindicating himself, &c. in generall termes as to the rest; which, being taken in the best sense, was made known to sẽalls of the honestest Members in the House, nay to those who were judged most averse to him, such as Sr Wm Hamiltown, Rickertown, my Lord Ross, &c.; from all of whom there was this return, that provydeing he meaned faithfully, and wold promot the common interest by getting a bench of honest Men upon the Sessione, they wold doe y^r endeavours in Parliãt to get the thing aproven, and would very willingly allow of all the respect, profeit, and honour, it pleased the King to convey his way.

One particular instance is that of Commiss^r Monro's, which may show how far it was in Stair's power that tyme to obliterat disoblidgments. It being told the Commiss^r as is above said, and that Stair meant not to accept the Chair, unless he obtained the favour of honest men, and had such to sitt upon the Bench with him, &^c. the honest Man's reply was, if that be true, altho' that man wronged me most of any man, and tho' I hated him formerly as I did the Devill, yet now I not only forgive him, but I will putt him in my bosome; and to lett see how acceptable the Lord Stair might have become, as well as my Lord Melvill, had he imployed his favour with the King for the common interest, the same Mr David Fearne, with consent of seãlls of the Members,

* Culloden.

was

was immediately dispatched away to London, by Polwart and some oỹ", with conditions of friendship, all tending to the common good; and the mynd of the Parliãt turned quyt off him, and sett itself then merely upon debaring of such from trust as had really been persecutors in the last Government, such as Queensberry, Tarbat, Sr George M'Kenzie, Athole, Aberdeen, Perth, Melford, Ballcarras, Dundee; perhaps not soe many, and I am sure not one more.

It's true, that befor this Sr John Dalrymple had been staged by Skellmorly upon some things that past betwixt them at London; such as that Sr John wold have had the request for turneing the Estates to a Parliãt waved until the acceptance of the Crown were over; and debeated that it ought not to come *in pari passu* with the offer of the Crown; which points were thought too nice by most of the Parliãt, and yrfor waved; and so was all oỹr animosities; so that many good people begane to hope that if they could gett Melvill & Stair right, they might easily retryve what was amiss in Privie Counsell or Bench of Sessione, and gett a law made to prevent the intrusione of wicked persecuteing Men upon the Government.

The first thing that became difficult to the Parliãt about this tyme was, the matters of the Articles; the King, in seãll instructions to his Commissioner *, giveing some concessions, but never comeing up to the height of satisfieing the grievances, because he stuck close to his Officers of State; whereupon ther past a vote debarring them from being supernumerary. During the continuance of this Debeat, the Parliãt were ready to have ill thoughts of D. Hamiltoun, because of his vehemencie in marring their designe anent the articles. Sr John Dalrymple had also been verie ill thought of for his obstinacie in the same matter. But when he was challenged for it, he excused himself with the necessities of his office †, which oblidged him to say something; and lest the Duke might delate him as remiss, he said so much; but he bade us observe, that he should never be found to speake twyce upon one head.

These insinuations of Sr John's helped well to irritate people agt the Duke, and lay more of the load upon him than either upon Stair or Melvill; tho' many judicious suspected vehemently them to be the only obstructers, because none but they were by the King at that tyme.

Two arguments more were under debeat in the House; one anent the Lords of Sessione, and anoỹr anent the qualities that might render men incapable of Trust. To divert the House from proceeding upon these, the Government of the Church was brought in head, by the Duke telling that he had particular instructions to setle that before any thing els were done.

Many well-meaning Men were satisfied in that point; so yt they were willing to see the Draughts of some acts brought in in refference ỹrto; and seãlls indeed were brought in by the D. himself, by Sr Thomas Burnet, and oỹrs which were so ridiculously conceived for the interest of Presbitry, that the Duke lost twice as much favour amongst the Presbiterians upon ye sight of his acts, as he had gained amongst them upon his first proposalls for Presbitry. The result was, that the most of the Members madè serious applicatione to the best ministers and best Lawyers, for drawing Draughts to that purpose which might be good and valid, for a right and true establishment of Presbitry; and while this is a doeing, it was surmised by most of the Members, that if the Kirke Government were once setled, the Parliãt would be immediately dis-

* The Duke of Hamilton. † King's Advocate.

solved; and that the only thing which keept it together was, a necessitie on the King, by some words in the act abolishing episcopacie; whereby he bound himself to setle Presbitry by the advice and consent of this present Parliãt; and if that were once done, the Parliãt would dissolve, lest it should become uneasie upon the incapacitating act, Lords of Sessione, and oỹr grievances.

This is no sooner suggested, but is als soon by very many believed; Stair and Melvill given to 1000d Devills, and the Duke commended as ane honest man. However, this surmise received not universall Credit; for it being put to the Vote, whether the Church Government should be first expeded, or if any oỹr thing should be preferred to it, it carried, by two Votes only, that oỹr things should be preferred to it. And so to work the house goes with the rest of ther votes, wherein Sr John Dalrymple had occasione to show all his pairts, and debeat himself out of all favour. The Duke often tyme calmly beholding fair play, yet stopeing the votes often with unseasonable adjournments: however, in end, a vote is obtained upon both these points; but in that obtained anent the incapacity, Skellmorly, Polwart, and the rest of ỹm, were outwitted by Sr John Dalrymple. They had putt in a great many instancies in the generall qualificationes, with a resolutione to pass from some, when contended for, upon conditione they could obtain the rest. But Sr John, finding the act to be such, in the termes they conceived it, as might in a manner reach all men, he very wittily lett it pass in these termes, because it might give the easier ground to cast it; as indeed it afterwards happened, the very contryvers ỹmselves passing from it, and confyning it a great dale more narrow in ther Address then they had voted it.

In the mean tyme, the Duke had brought in ane Bill for money to pay the army. Enquyrie is made into the Thesaury, and into the Conditione of the Army; and it being found ther was a Stock to pay them whill November, the Parliãt delayed imposing of Money while some of the grievances were redressed, which might encourage the people to pay yr taxes the more pleasantly; and immediatly upon recept of this answer, the Parliãt is abruptly adjourned to the 8th of Octr, to the great surprise of the whole House.

Now it was that honest Men begane to examine themselves and yr conditione, and to put the question, whether past oversights should be rectified or not. They had made yr own conditions loose, and found no remedy for that but to have good men about the king, who would inform him trewly of the conditione of affairs. They once had some expectatione of Melvill & Stair, both professing ane honest principall; of whom now they were become uterly diffident: the Duke they never laid great stress upon; so that now they found themselves so difficulted that they knew not what hand to turn. They see that whoever should goe to Court, in a private Capacity, to inform the King, behoved to be of far less Credit than those who already swayed him; and, the Parliãt being up, they could not informe as from a House; but judging generally one thing to be true, vizt That the King acted meerly upon misinformatione, they thought a general applicatione by the most of the Members, tho' extra-judicial, could not choose but weigh with him.

And yrfor they entered upon that soe-much-spoke-of Address, consisting of fyve Articles already voted, and proffering Money to maintaine the Army upon the passing of these Articles into acts; which were, 1. the reponing of the ministers; 2. the repealing the act anent the supremacy; 3. abolishing the Articles; 4. the incapacitating of some for publick trust; and, 5. the nameing a Bench of Sessione in this tyme of a total vacancie with consent of Parliãt. The stile was smooth and humble;

the grounds and inferences rationall; and the persone employed to delyver it * pretty intelligent, and supposed favourable enough with the King; so that this Address was subscribed and dispatched away under hopes of a very good answer. But the King had taken such bad impressiones of it before it came up, that when it came, the Bearer could receive no admittance.

It is to be remarked, that Duke Hamiltoun had vindicat himself from it to the King; and the better to plead himself free, had deciphered those Noblemen and Gentlemen of the Parliāt who, from subscribing the Address, were called the Club, to be a hot-headed precipitant people, of a wicked temper, and unsatisfiable; upon whom also he laid the blame of his abrupt adjournment, because they could neither setle the Government of the Church, nor provyd for the Army, until they had satisfied their old caprices and privat piques; so that he could proceed no further in a Parliāt with them, until he knew from his Mātie how far it was his pleasur he should give them way.

Howbeit, whatever the Duke said, perhaps he was but little believed; Stair and Melvill haveing before hand borne in upon the King, that the Duke complyed with the Club, in so far as he suffered them to bring any of ỹr proposalls to a vote, especially those three, of the Articles, Incapacitie, and Sessiones; by the first of which he derogated from the prerogative; and by the last two, meant to destroy Melvill and Stair, at least one of them.

About this tyme the Earl of Annandale, my Lord Ross, and Sr James Montgomry, came to Hampton Court, with some other Members of the Scots Parliāt; all which was improven by those who were Enemies of the Address to the disadvantage of it; they representing the reflectione that the noise brought upon the King's justice; which, as ane Insolence, behoved to receive some Check, and ỹ for Annandale, Ross, and Skellmorly, are debarred the King's presence, as being Counsellors come up *sine venia*. This affront done to these persons was very ill taken by many, and was interpret as a bad omen to the success of ỹr Address.

It is true, it was quickly removed, and the King allowed my Lord Portland to examine the desyres of ỹr Address; but desyred it might not be presented to himself. It was told, yt it behoved to be presented, or els the trust were not answered which was reposed in them by ỹr neighbours; which ansrs the King took ill; and this brought such as were there of us, that haunted in Court, to deliberat what was best to be done.

It was now we saw the absolute necessitie of having the King out of evill hands, because he stuck so close to his impressiones, in so far as he had scroupled to accept of the address, haveing once thought ill of it, altho' My Lord Portland had told him yr was nothing of difficulty in it; and in this our consultatione we splite amongest ourselves; for Sr Ja. Montgomry and some oỹrs with him, were of opinion, that a solemn presenting of the Address wold compell the King to hear Debeat upon it, and give it a good answer. Sr Patrick Home was of the contrary opinion; and thought that if the King's own Consent were not obtained to the presenteing of it, it might doe at least this prejudice, of loseing the King's favour to all such as did present it; and since ther designe at bottome was to carry the King out of evill hands, to irritat him would never be the way to carry him. Sr Patrick had some ground for what he sr; for the King a day yrafter, haveing called for him, discoursed with him upon the

* Polwart.

termes

termes of that Address: some things in it he was free to grant; oỹr he made mor difficultie of; but, however, he said he was goeing to Newmercat at that tyme; and at his returne he would receive the Address in his closet, without noise, wold reason upon it, and give such returns to it as was suitable. This Accompt being brought back to yᵉ rest of our number, pleased them well enough, all to one thing; which was, that it looked lyke a postponeing of tyme; since the Parliãt was to sit the eighth of Octoʳ; which difficulty being represented to yᵉ King, the Parliãt is adjourned to the 20ᵗʰ of Deĉer.

At this tyme, and dureing the interval whill the King's returne from Newmercat, ther were seãll attempts made for bringing of parties to ane understanding; and then certainly, if Stair and Melvill had run the same way wᵗ those of the Clube, evill men might have been debared from the Government, a good bench of Lords named, and the most forward of the Club put in some imployments, which had undoubtedly made the nation peaceable; but one thing at that tyme became apparent; viz. however my Lord Stair might profess that he desyred pretty men to sitt with him upon the Bench, yet *revera* he shunned any who he thought would debeat with him, and took in (in so far as he could) none but such as he knew woold comply with him.

The reasone of this position is as followes: the night befor the Secretarie & the Advocat went to Newmercat, the Advocat, Sʳ Pat. Home, and ane oỹr member * were very late at the Fountaine taverne, wher ther discourse had been altogether upon the termes of accommodatione, and removeing of differences; which was supposed to be pretty well understood. When they were ready to part, Sʳ John asked of Sʳ Pat. what if the Sessione should sitt down the first of Novᵉʳ; to which Sʳ Patrick replyed, it could not choose but break squairs, since the Parliãt did not sitt befor yⁿ to admit yᵐ. Then, sayes Sʳ John, you had best guard the Secretary of it befor he goe to Newmercat. According to his advice, Sʳ Patrick & yᵉ oỹr member were at yᵉ Secretary by day-light the next day and guarded him anent the thing; to which he replyed shyly, that he knew of noe such designe as to make the Session sitt the first of Novᵉʳ, and that he wold make no such overture himself; but if the King were positive in it, he knew not how to gett it hindered, &ᶜ; which ansʳ giveing great ground of distrust, my Lord Annandale and my Lord Ross are advised by the rest of the members to goe forthwith to Newmercat, and obviat any thing they saw passing anent the forsᵈ motione. Accordingly, they went thither, tarried dureing the King's aboad, and came back with him, without smelling any thing; and yet the thing was done under hand, and nothing of it known in England; while the report of yʳ sitting came up from Scotland; which clandestine precipitation was interpret generally to be best. If parties should agree, my Lord Stair might be oblidged to take in some upon the Bench that would not stoop to him. However, thus it was done, and the Sessione at yʳ downsitting in Scotland, when the address was presented in England; which was much after this manner:

The King, being returned to Hampton Court, had some discourse with Sʳ James Montgomrie, which lyked him ill. He lett him know that he thought ill of him; and whatever trust he had formerly meaned to put upon him, he would now doe it but according to his good behaviour. Sʳ James, finding himself at a loss, explained the matter to us as if the King dealt so to terifie him from presenting the Address, which went verie ill doun with most of us: only Sʳ Pat. Home said, that of a certain that came not of himself; and ỹrfor to deal briskly with him, were to lock him in, in the

* Culloden.

hands

hands that had him, rather then take him out of them. Therefor, since the King had promised that he wold receive that Address in private, he besought they wold not precipitat the delivery of it while he had first spoke to ye King. Three or four days wer spent in Arguments of this natur. Sr James (who had carried my Lords Annandale & Ross) still perswading y^r^ was no wayes to doe y^r^ bussines but to put it home, and particrly that the Duke of Hamiltoun wondered why we were so long adoeing of it; Sr Patrick, upon ye oy^r^ hand, perswading that to be abrupt in it was the way to marr it, unless the King would goe back of his word, and refuse to accept it in privat; beseiching they might have but Patience for a Week; and if in that time he did not gett the King perswaded to receive it privatly and give it a good answer, he wold ỹrafter joyn with them, and prosecute the matter in what termes they pleased.

These Arguments, being often reiterated, could in end procure no more delay; for upon the day of November was Sr Pat. Home taken sick out of his Bed at Ditton by Annandale, Ross, and Skellmorly, to present that Address himself, or els to suffer them to doe it: he acquiesed unwillingly; but had this Condition in it, that they should present nothing until he had the returne of a note which he instantly gave in to the King, desyreing that his Mãtie might speake to him. In the mean tyme, befor y^r^ arryvall in the Bed-Chamber the King had called in one of the Members * to the Closet, with whom he spoke prettie fully of all that had past in Scotland; made show as if he had been satisfied to receive and answer all that Address, excepting that Article anent the Sessione, upon which pointe also he wold reasone; and as to the Capacity, there should be no need of ought publick to that purpose; for lett us condescend against whom we excepted, and he should assure us that none of those should ever be named to any place of trust by him, &^c^. That Member was newly come out of the Closet, and found all the Gentlemen there in the Bed-Chamber who were concerned in the Address; with whom he retired to the outter roome, and was giveing them ane accompt of what had past betwixt the King and him; and whilst he was about the Close of his discourse, the King haveing come out and passing over the roome, my Lord Annandale put knee to the ground, and gave him the paper. The King asked what it was; my Lord told him it was ane Address from the Members of the Parliãt of Scotland; to which the King made no reply.

Whatever speed Sr Pat. Home might have come with his calme courses, is uncertaine; but one thing now we have found certaine, that, by abrupt presenting the Address, we came just no speed at all; all we gained by that was, to put ourselves quite out of doors; so that whatever outward shew of Civility some of us had formerly, we had then lost it all, and in plaine termes saw we had no more to doe at Court, and every Man imployed himself as his Humour led him. Sr William Hamiltoun and Sr James Ogilvie went home; the Duke of Hamiltoun, divested of his Commissione, followed within a litle ỹrafter; Skellmorley, Annandale, Ross, &^c^, stayed at London, and conversed with the English Statesmen; Polwart and Collodin went out to Kingsintoun with their families, and passed y^r^ tyme there; and if at any tyme they happened to mett y^r^ friends, all ther conversation was upon the generall confusione that all things were lyk to turne into in Scotland, England, and Ireland.

It was remarked, that Skellmorly and those oỹ^r^ Gentlemen frequented all maner of Companies, whether Jacobits or oỹrs; they advised much among the Parliãt men in England, that no money might be given the King; and amongest the Cittizens, that

* Culloden.

none

none might be lent: they spoke incautiously upon any wrong steps made in the State; all which discourses, and perhaps much more then ever they spoke, was brought to the King's Eares, which irritat him mightily against them. The Address also came to be vindicat in print at that tyme, and seãll oỹr passadges fell out, which displeased the King verie much with these Gentlemen.

There was only one matter of Import which seemed to take its rise from them; vizt. Some of the English Officers of State and Bishops had been with the King desyreing him to put a stop to presbitrie in Scotland; assureing him, that the Parliãt of that natione was not so much inclyned to Presbitrie as was imagined; that they were informed, Episcopacie had not been abolished, had it not been to gratiffie him; and if His Mãtie pleased to call that Parliãt together presently, and give ỹm freedome to setle the Civill rights of the Natione, they wold stop any furder advancement of Presbitrie; and that this might be very confidently asserted; for these very Men, to witt, the Clube, who were the abolishers of Episcopacie to pleasur the King, wold be the hinderers of the advance of Presbitery to obtaine ỹr civill rights, &c.

My Lord Melvill spok of this to Sr Patrick Home with a great dale of regrate; by whom he was not beleived, but in a maner laughed at; however, within some few dayes ỹr is a 2d onsett made upon the King by the same persons to the same purpose, without receiveing any possitive answer from him, who, within ane hour after they were gone, called for Sir Pat. Home, upon whom he had looked but very shyly since the presenting of the Address.

It's true Sr Pat. had contribut to keep himself out of favour by seãll memorialls he gave in to the King from tyme to tyme, wherein he missed not to vindicat still all those of our Clube which was then become unwelcome to his Mãtie. But he inclyned to distinguish betwixt such persones as advised the Parliãt men of England to give money for the comon defence, and those oỹrs who made it ỹr worke to diswade them.

This was it which at yt tyme inclyned the King to call for Sir Pat. Home; but Sr Pat. hapening not to be about the Court, Collodin was brought to him, who happened to be there. With him he had seãll questions anent the conditione of Scotland and the Parliãt; particularly, if the Presbiterian Partie wer the stronger; and if the peace of the Countrey could be secured, without setleing the Government of the Church; and if Skellmorly's interest with his Adherents were such in the Parliãt as could oblidge the natione to lay asyde ỹr Church Government. To all which ỹr were plain and positive ansrs given, with reasons to inforce what was sd, wherwith the K. appeared satisfied: after which he broke out in ane expostulatione of the notorious injuries he received from Sr James Montgomry and some oỹrs, in creating him all the troubles and mischiefs imaginable; reackoning yt as one amongest the rest, that they had put the Church of England upon him, either to break with them, or break with the Presbiterian interest in Scotland; adding, that those persones who had last gon out from him were solicitars in that affair. This was no small occasione of admiration to Collodin, who could doe no other thing but call the verity of the matter in questione: whereupon the King gave him liberty to inquire for his own satisfactione, which within a day he did, and found Sr James Montgomry own ỹt the Presbiterian party were the least, and least considerable in the Parliãt of Scotland; that the interest of the Natione behoved not to be lost for our Presbitry; and that Queensberry, Atholl, &c were very honest men. This pass'd at the Blue Posts in Hay-marcat, in presence of Annandale, Ross, Ricartoun, & Sr Wm Scott, after a full accompt had been given by Collodin of what the King had said the night before.

Sr Pat.

S[r] Pat. Home was spoke to by the King to the same purpose, who believed it als litle as Collodin; and judged, as he did at first, that the Englishmen had said more to the King then ever these oȳrs had given them ground for: however, sundry passages occurred ȳrafter, which made Sir Pat. Home and Collodin see that ȳr friends were fallene in too great ane intimasie with thoſe of the Jacobit Partie; and ȳ[t] to ȳ[r] great regrate, because it put ȳm still more and more out of the King's favour. Of ȳm they gott many advertisments, ansſed with as many excuses and appollogies; but it appears, that this haveing missed, which was last in hand with the King, it helped S[r] James Montgomry forward to make his acquantance in plain termes with K. James, and thenceforth drive his interest.

It was about this tyme that the King conferred with S[r] Pat. Home, and Collodin, anent what wold please the Parliāt of Scotland to that degree, as to persuad ȳm to give money for maintinance of the Army in ȳ[r] own defence. There was a Memoriall given in, in writing, containing the fyve Articles in the Address, and some things more; upon which nothing followed, until a new proposall was made to the King, a litle befor the tyme that Annandale, Ross, and Skellmorly, left London; which was, that since the King knew that the Presbiterian Partie was by far the stronger in this Parliāt, and y[t] these Presbiterians will give no Money bot upon two peremptor conditions, viz. 1° That he should sett up a strick presbitry, in Scotland, which wold disoblige England; 2° name a Bench of Sessione of new, which wold dishonour himself; to prevent both which, it was proposed that he might dissolve this Parliāt, and, by the help of some great Men that were in the last Government, gett a new Parliāt not so biggot as to Presbitrey, and also indifferent as to my Lord Stair and his Lords of Sessione as the King pleased; who wold give money in abundance, and apply it to the maintinance of his Armies, and defend his Prerogative, which they had been accustomed to support; wheras thòse whom his Mātie trusted now were meere Republicans, and Enemies to the very monarchie itself.

My Lord Melville was the first who took the allarme at this proposall, of which he made a heavy regrate to Sr Patrick Home; who told him, that if the Parliāt were not adjorned till March, the King wold quickly find how much the members of it had been belyed, and that they wold give money for ȳ[r] own defence. My Lord Melvill, who distrusted this, as being mighty diffidente of the parliament humour, went ane oȳ[r] way to work, viz[t] To plead the povertie of the natione to borrow 1500l. sterline from the theasury of England, to be subsistance money for the forces in Scotland for a while; to break some of the most useless Regiments, and gett the rest by degrees brought on upon English pay; and so keep off with long weapons, while the Parliāt cooled and came to its self.

There was the remedy proposed by y[e] Secreetarie, which S[r] Patrick Home condemned als litle better then the disease; and ȳ[r]for, the King haveing called him, he utterly diswaded it, and brought the King to believe that Scotland was able to maintain its own army, and wold willingly do it, whenever the King did these things which he found him satisfied to doe; upon this, the King called for Collodin, who spoke in the same termes with Polwart, and then enquired for the last Memorandum given in by Collodin, and made the Secreetary and Polwart deliberat upon the Articles of it; satisfied himself fully anent it, keept one double of it, gave ane oȳ[r] to the Secreetary, and the 3[d] to Polwart and Collodin, whom he immediately appointed to goe for Scotland, and try how these proposalls relished with the people; and, according as encouradgements were given by ȳm, the Parliāt should either sitt or stop.

The proposalls were, (1.) To take off the articles; which was acquiesced to, provyding the King had some of his Officers of State present in the Committie, to speak, but not to vote; (2°) To enlarge the Barrons' Bench; (3°) To take away the supremacy, and repone the outted Ministers; (4°) To settle presbitry according to act of Parliat 1692; (5°) To take away the patronadges; (6°) To secure the peace of the countrey by garrisons at Inverlochie, and other highland places; (7°) To reduce all fynes and forfeitures by act of parliat. y^t passed in the late reigne, and that he should acquiese in whatever the Parliat proposed for reparatione of losses sustained in the late gover^t; all which articles were acquiesced into *in terminis* as they were proposed; (8°) as to the Sessione, the King desyred the Parliat might leave it free; but as to the constant President, he was clear ane act should pass abolishing it *pro futuro*; and, in the mean tyme, my Lord Stair will be brought to demit presently; he was very free for it, and will give him incouradgment to doe it; but if ỹ^t would not doe, he was unwilling to put ane afront upon him by retracting what he had already given. (9°) As to the incapacitating, he had supplied the offices of trust by commissiones already; in which he had been cautious to put non ag^t whom he had ever heard any objections; and as to the sufficiencie and insufficiencie of such as he had now named, he cannot answer for it, because he knows them not; but the thing being only *ad tempus*, if there be any error found in that, it may be easily rectified thereafter, &c. And this is the substance of that paper which Sir James Ogilvy was first pleased to nickname compromissione, and which some fools since were pleased in ther ignorance to scoff at.

In the beginning of Febry 1691, Polwart and Collodin came to Edinburgh; where, imediately upon ỹ^r arrivall, they found the King under the grossest misconstructiones with all good men, in a manner both in Church and State that ever a Prince was under with a people. What filthie uncleanesses were reported of him and the Queen, and borne in upon good people, are incredible; and as to the expectations might be had of him, they were all summed up in these three words, he neither will, can, or dares doe a good actione, &c.; all which stuff, as it shows a great change of humour in the people, so it shew a malicious industry in some Informers, which could have no less at the Bottome then a turning of the scene. However, it was a great ground of satisfactione to Polwart & his Comerade to fynd a readines in honest Men to believe them when they spoke good things. All that was formerly said by others to the King's and Queen's disadvantage, they endeavoured to run down, and give the nation some satisfaction anent y^r Address, by telling what the King was free to doe, according to the tennor of the paper left with him; much of which was so far beyond the mean expectationes they had lately conceived of him, that they greedily closed with it, and longed for a Parliat to lay on the Money.

These two Gentlemen's first endeavours were w^t Sir Ja. Montgomry, and the rest of there owñ Comerades; designeing to have carried their assent with them, that ỹrby the King might have been convinced, as they were most for him from the beginning, so they wold be most for him to the end; which was the plainest way to convince him not only of ỹr good will, bot of the weight they did bear in the natione, and consequently might bring him to make amends for any slight he had done them, and put them in such places of trust as they deserved, and slight y^r enemies, whose interest he wold find but ineffectuall for his service.

It is also to be remembered, that Polwart, when he parted with the King, told him expressly, it was by means of these Men that he meaned to prosecute his undertakeing; and if he succeeded in it, would not his Mãtie deal kyndly with him? The King told

him, he was too good a friend, and was myndful of those whom he believed would be very litle so of him; but if these men turned frendly, and changed ther way, he could be als ready to doe them kyndneeses as they would be to merit them.

This particular passadge they were informed of, as also of ane other lyke it which passed betwixt My Lord Portland and Collodin; but no argument, reasone, or temptatione of favour, could prevail with them to trust the King, or condescend to give any money, until he had granted them the outmost of there desyres; particularly until he had subjected this bench of Session to the pleasure of the Parliat. It was told, that then the Parliament would breake if they continued so obstinat; to which it was answered, let it break: in a word, ther was first ane indifferancie shown whither it brok or not, which within a very few days improved itself to ane apparent desyre in seālls to have it broken.

However, the soberer part of the Parliat, finding that if it came to break they should lose the prospect of their Church Government, restranratione of forfeitries, abolishing of the articles, and inlarging the Barrons' Bench; nay not only lose the expectatione of these, but perhaps fall into (God knows what) greater mischeiffs; either by the want of the Parliat, or by getting ane ill one; they positively conclude with Polwart and Collodin to accept of the King's offer at present, provyd for the army in the mean tyme, and hope for better things in tyme to come; which gave Polwart and Collodin ground, from tyme to tyme, to acquaint the King, and assure him that he might safely suffer the Parliat to sitt.

In confidence of what they assured the King of, my Lord Secretarie Melvill, who was sent down with a commissione to hold the Parliat, how much he demurred upon it through diffidence of the strenth of y^t^ partie that was to be for him, was visibly seen; he had mens promises and assurances to act according to the proposalls made by Polwart and Collodin; bot the boisterous noyese of a contrar partie, who had brought in all the Jacobits to be ther abettors, did so discouradge him, that he wold not adventur upon a Parliat without furder assurances, and therefore adjorned it once and againe for a tyme.

It was this diffiddence of my Lord Melville that induced the Members to write and signe conjunctly a declaratione of ther mind, how they meaned to proceed in the House; which paper, in a mock, was termed the clearing. However, when that clearing had made a considerable progress, so as to assure the Commissioner, in termes which could not afterwards be denyed, as verball promisses might be, he adventured to lett the Parliat sitt; and as he adventured to lett it sitt, had he also but adventured to tell that he meant and was free to doe the things which really thereafter he did, he had brok the neck of oppositione the very first day; but his diffident tugging in smaller matters keept life in a contrary partie, which had no force but what it borrowed from jealousies that good men had, whether the Commissioner wold doe these things that were promised in his behalf, or not.

With what difficultie did the articles goe off! yet in the end they went. How long stuck the supremacy upon a needles notion! yet it passed; and every thing that was brought in agitatione was besett with difficulties; as, particularly, the Government of the Church. But, blessed be the Lord! that is so setled, that the Ministers are pleased; the patronadges are taken off, to the satisfactione of both Ministers and people; forfaulturs and fynes reduced, to the comfort of the oppressed; the Barons' bensh inlarged, to the satisfaction of the freeholders; the Parliat vindicat from the bondage of constant Committies; and seall oy^r^ things done, which if the Parliat had not sitten perhaps had never been done. So that it is a wonder how men, who have been eye-witnesses to what

is past, can say that it had been better the Parliãt had not sitten; whereas it is so evident, that had it not sitten we had lost what we now have (perhaps for ever), and fallen in inevitable misery; and, indeed, it was ten to one that it did sit; for if Polwart had not been at London to inform the King right, it had not sitten; or if, after he came down to Scotland, he had joyned with Skellmorly, and those oỹr Gentlemen, in ther ways of pressing affairs, which is the great objection in some mens mouths (without considering Skellmorly's meaning), it had never sitten. If the Commissioner, after he came doun, had not found himself assured that the Parliãt members wold be satisfied with the King's offers, it had never sitten; so that, as it is evident that all the good we have is by the sitting of that Parliãt, it is also evident, that it had never sitten if it had not been for Polwart's endeavours. And in so far as Skelmorly was oỹr ways engadged, and did not joyn in the same course with Polwart, I reckon that, both in him, and all that went his way, a step verie far wrong; and had they known all that was at bottom with him, I have the charitie to think that few or none of them had gone his way.

Ther is nothing that this Parliãtt is disappointed of from the King, but in that of the constant President; nor is ther any thing the King is disappointed of from the Parliãt but that the money is paid in four years which ought to have been paid in two. And I ame confident, neither King nor Parliãt are to be blamed for either of these two wrong steps; for they are both my Lord Melvill's, and are indeed two master-pieces of needless mishapp to him, for each of which I am sure he is doeing pennance this day.

To vindicat the King as to the constant President, it is well known how he made Stair a Viscount with no other designe but to invite him to demitt. He also gave way to the Parliãt's proposal, anent no nobleman's being ane ordinary Lord of Session. He thought the Parliãt had voted that act, and woundered since why they did it not; but it stood at my Lord Melvill, who, had he given way to that, then perhaps he had not had the master of Stairs to be his conjunct Secretary now.

As to the divyding of the Cess in so many termes, the Parliãt was not to blame for that; for 1° att granting of the 27 months, they offered to pay it in two years; but my Lord Melvill stopt that, and took a retentione money; delaying the Cess for four years; (2°) the error of his retentione money being quickly seen, and the Parliãt called *de novo* to rectifie it, they offered yet to pay the cess in two years, and give four months more payable at that Martimass, in lieu of the retentione money, which was not worth six pence in the terms it was granted. But my Lord Melvill had the mishapp to marr that also, by rejecting the proposall, and taking the chimney money in place of it; which, being ineffectual as to the maintaineing of his forces, brought him to be highly misconstructed by the Inglish statesmen, who found that he had slighted the tymous payment of the Scotts supply meirly (as he had once ingadged so) to keep the Scotch forces upon Inglish pay, which rendered those Inglish statesmen active in procuring him a conjunct; and in the mean time he's left Scotland to lett its own poynts hold up its own hose; which can never be well done till the Parliãt accellerat the termes of the cess; and which the Parliãt wold doe with the better will, that the constant President were taken away, which is very easy for the King; and therefor let honest men hope that, when the King letts the Parliãt meitt, both ther interests so much requiring it, they will doubtlessly please ane another: to which I am sure every honest man will say Amen.

Our present condition being such now as it is, by what is said any man may satisfie himself how and by whose means it comes to be so.

1° Our first wrong step was, the refuseing to clame it as our right, that the King should not name the persons to publick trust but with the consent of Parliãt. The occasione

occasione of this error was doubtlessly the Duke of Hamiltoun, and some others who opposed it, such as Crafurd, Melvill, &c.

2°. The second wrong step was, the sending up Sr John Dalrymple, instead of Sr William Hamiltoun; for which S^r W^m himself was first to blame, and then Grant, Brodie, Ormistoun, &c. who were obdurately blind in it, and would not open their eyes to see the error of it.

3°. The 3^d wrong step was, the sending up of only one of a state, with the offer of the Crown; for which the Duke and Skellmourly, or rather Skellmorly alone, was to blame.

4°. The 4th wrong step was, the makeing of the incapacitation act too extensive; or els we might easily have been quit of some few persones who are lyk to be burdensome to us now. For this, want of witt in the contryvers of the act is to be taxed, rather than any designe.

5°. The 5th wrong step of honest men (for it is the wrong steps of such only that I reckon) was, ỹ^r not waiting of the King's pleasure, while either he should receive y^r Address in private, according to his promise, or els refuse it; for which I think Skellmorly was mainly if not only to blame.

6°. The 6th wrong step was, not joyning in frankly with Polwart in April 1690, and keeping one intire way, which was phesible, when they found ther own way was impossible. This is rescinding from what was at the bottom, for which I suppose Skellmorly only was to blame.

7°. The 7° wrong step was, the not putting Grant's act to the vote; for which my Lord Melvill only was to blame, who hindered it, and no other bodie.

8°. The 8th wrong step was, the refuseing of the 28 months cess payable in two years and four months more at Martimes last, for a pityfull chimney money; for which also my Lord Melvill was to blame. May the Lord put a good occasione in their hands for rectifieing the two last errors, which may be easily done; as for the rest, they are irremediable.

No. CCCLXVII.

Memorandum anent the Viscount of Tarbat. [1701.]

1st. The Viscount of Tarbat, in the yeare 1663, fell in disgrace with the King and Court, for contriveing of the Act of Billeting; and did run a risque of being declared incapable of publick trust.

2^d. After haveing confined himself severall yeares at home, he changed his side, and solicite earnestly for Lawderdail's favore; whoes answer was, that there was nether grace, mercy, nor peace for him: yet when the House of Hamiltoune became heavie upon Lauderdaile, he passed from his prejudice ag̃st Tarbat, received him into favor, and made him Justice Generall.

3^d. The prosecution against the Presbytirians turning hot, Tarbat became a notable deviser of mischief ag̃st them; for which he was made Clerk-Register. It was he that found out the way of puting men to death for silence; and of shooting of men on the highways without either process, jurie, or record; for which services, it appears, he got a pension from King Charles II^d of £400. sterling yearly dureing life; to be paid him out of the crown-rent of Ross.

4th. In King James his time, he was a member of that secret committee who were for introduceing of popery, and takeing away the penall statuts (which he tearmed sanguinarie

sanguinarie laws); doeing his outmost for abolishing of them, and thereafter was the contriver of a letter of thanks to King James, for assuming the dispenceing power by his proclamation to that purpose.

5th. By these things he had become so odious to the nation, that upon the revolution he was possessed wt terrour, and stood up in Parliamt confessing his sins, and that he had been ane ill man; crying out, was there no mercy for a penitent siner? and proffering to confine himself at home for the rest of his days, provyding the Parliat would but spare his life and fortune, which he acknowledged he merited to lose because of the many ill things that he had had a hand in, &c. Yea, so strong were his convictions, that, notwithstanding of all the comfortable promises he had from the D. of Hamiltoun, he disguised himself and fled to England upon the night.

6th. What services Tarbat hes done to King William we know not; but he was verie quickly made of his Councill and Exchequer; and then reponed to the office of Register, which in anno 1696 he made offer to demit, because it was invidious in his person, whom the countrie partie look'd upon with so ill an eye; suposeing by such a piece of self-deniall to engage the King the more to him. But the King, not understanding him fully at first, took him at his word, which made him go to court, and show all his shapes, whereby he 's obtained from the King as follows:

Item, having got a gift of recognition of the estate of Cromerty, which estate had ane heritable jurisdiction of Shirefship over two parishes, the Viscount of Tarbat obtains from the King a patent for adding his Lop's other estate within the shire of Ross to the said heritable jurisdiction of Cromerty: upon which ground the Viscount has taken in a great pairt of the shyre of Ross, even from the East Sea Bank to the West, under a pretence of property, superiority, reversion, or other tytle; so that its hard to know what belongs to the Royalty, or what to his Lop, which spoills the administration of justice there, for non in Ross knowes when to execute ane inhibition.

2d. He has got from King William a ratification and possession of the £400. sterling out of the croun rents of Ross; which was given him by King Charles as a reward of prosecution; and of that fund he 's already received £24,000. Scots.

3d. He is just now, by means of the D. of Queensberrie, to obtain a discharge of his own few duety, amounting to 15 chalders victuall, and 700 merks of money; and this by and all over the 400lb. sterling pension.

4th. The D. of Queensberrie has also undertaken to get him a gift of the Chamlanrie of Ross, which hes a thousand pounds Scots of sellary anexed to it; and he to count to the Exchequr for the superplus, &c.

5th. In ordinary yeares the croun rents of Ross, according to the exchequer fiers, will be litle (if any at all) beyond 7000l. which will not compleat all the Viscount's pretences; so that he will have nothing to count for, unless it be in time of great prices, which the King and his thesaurie may probably forget to crave.

6th. The Viscount hes also obtained a gift of his Majestie of all that pairt of the bishop's rents of Ross which were payed out of his Lop's interest, either in possession or reversion; which, I ame told, amounts yearly to 300 bolls of beare, or thereby; nor doe I question, if the King had any more in Ross to give, but his Lop wold be at it.

If the Viscount get the Chamlanry, it may be easily believed that he will not readilie count for any superplus; for if his own few duety be discharged, there will be nothing to count upon; in which case he will undoubtedly cause the fewers pay the bolls, without regard to the exchequer fiers, as the former chamerlans did; and then his emoluments may be as follows:

Item,

Item, 2130 bolls victuall; for which, according to his manadgement, he may draw ten merks per boll *communibus annis* (for he does no less for the rest of his estate); tuentie one thowsand and three hundred merks more of money rent; tuo thousand seven hundred and fiftie-four merks: which makes his emolument above tuenty-four thousand marks a yeare, by and allover his heritable jurisdiction.

Saveing his Majestie's pleasure, it were better to hold things as they are, and not take away his incouradgement who serves in the chamlanry; nor put the superplus of the croun rents out of the thesaurie's hand, which might serve for a farr better use in payeing pairt of those mony precepts wherewith the King meant to gratifie some who has done him acceptable service; which is certainly better then to put all in the hands of a man repute as he is, who so very lately sought no more favour but his lyffe.

No. CCCLXVIII.

The Earl of Sutherland to the Laird of Culloden.

Dunrobin, 15th June 1704.

I CANNOT express, dear Sir, the surprize and sorrow that the account of your father's death gave me. At the same time, it is not only a loss to his relations and friends, but to all honest men and his countrey at this juncture, when men of prudence & sense were never more needed or wanted. I long to hear how you and your worthy mother, and others of the family concerned; are, under so sudden and unexpected as well as great loss; which I hope, as Christians, you will submitt to, as coming from a high hand, by whose mercy it is that we are continued in the land of the living, and who has been so good as to give you some former warnings, by some fitts of sickness your father took, soe as to expect the worst some time.

Excuse this freedom, coming from the sincere heart of,

Dear Sir,

Your affectionate cousin & humble Servant,

SUTHERLAND.

My hearty respects to my Lady your Mother, your own Lady, & all other friends.

No. CCCLXIX.

Copy of a Letter laid before the Lords Justices.
[Supposed, 1714.]

The Manner of proclaiming the King at Inverness.

THE Shirriff Depute & his Clerk came to the Cross when all the honest people in town were at church att the weekly sermon. The Shirriff caused his Clerk read the proclamation; and one of his officers repeated the words after him. Some of the magistrates were present, mocking the Shirriff; and when the Clerk ended the reading, and cryed God save the King, the magistrates, and some they had present for that purpose, cryed, God damne them and their King. When the Whiggs came from church, and heard the news, they came to the magistrates and expostulate w^t^ them, for not having the usual solemnity on this occasion. Att which the magistrates were much

much offended, and bid some of them goe hang themselves; but, notwithstanding of this, the Whiggs, in the afternoon, put on their boonfyres, illuminate their windows, caused ring the bells, in spight of what the magistrates could doe to the contrary, and were solemnizing the occasion with all possible joy, till about nyne at night, that the magistrates thought fitt to stirre up a mob and raible them, by breaking their windows, scatering their boonfires, and allmost burning their houses; and further, when young Castlehill and some others went to complain of this abuse to the magistrates, they thought fitting, by way of redress, to send him to prison. And as [if] this were not enough, they themselves went with some of the custom house officers, such as collector & surveyors, and drunk avowedly King James's health; and, as some say, confusion to King George & all his Adherents. This is true coppy of ye account given ye Regents.

ROBERT MUNRO.

No. CCCLXX.

A Petition to his Majesty, in behalf of Lord Lovat.
[Probably in Dec. 1714. See Lord Lovat's Letter, No. XLII.]

WE your Majestie's most dutiful and loyal subjects, under subscribing, who have always endeavoured to distinguish ourselves by our zeal for the protestant succession in your Majestie's Royal Family, which has now taken place, to the happiness of these nations, and the disappointment of all the enemies to liberty and the protestant religion;—do humbly implore your royal mercy for one of your subjects, who, though banished and a prisoner *, has now lately, when the greatest dangers did seem to surround us, by the influence he has over a numerous clan, supported with us that cause, which, in defence of your Majestie's undoubted title to the crown, wee have to the utmost of our power endeavoured to maintain. This unhappy Nobleman, my Lord Lovat, for whom in all humility we offer this petition, would not be so presumptuous as himself to make any request to your Majestie; but has appealed to those who are known to have openly and firmly devoted themselves to your Majestie's service. And his relations desireing us to be witnesses of the truth in his behalf, we could much less in justice then in compassion, refuse to bear this evidence to your Majesty; that by the assistance and power of those by the name of Fraser, who are almost all under his direction, we have strengthened ourselves in the defence of the present happy constitution in church and state. These are the motives which have compelled us in the most humble manner to lay my Lord Lovat's case before your Majesty; and we are so sensible not only of his power, but of his sincere intentions to joyn with us, in the supporting inviolably the authority of your Majestie's Government in the North of Scotland, that if we can be so happy as to obtain the royall favour for him, we humbly make offer to become bound for his loyal, faithful, and dutifull behaviour to your Majesty, in whatever sum your Majesty shall be graciously pleased to appoint.

* He was outlawed, and had been put into the Bastille at Paris.

A List

A List of the considerable Persons of Inverness, Morray, and Nairne, who sign'd this Adress to his Majesty in favours of the Lord Lovat; and who are known to be zealously affected to the present constitution, and the most landed men in those shires.

Alex^r Grant, Sherfff of Inverness Shire, Member of Par^t,
Alex^r Dunbar of Bishop Mill, Sheriff of the Shire of Morray.
Sir Henry Innes, of that ilk, Barronet.
Sir Archibald Campbell, of Clunes.
Hugh Rose, of Killravock.
Hugh Rose, of Killravock, yor.
James Brodie, of Brodie.
John Forbes, of Culloden, Member of Parliament for Inverness-shire.
Alex^r Brodie, of Lethin.
David Dunbar, of Dunphaill.
Thomas Brodie, of Pitgavenie.
Lodwick Dunbar, of Grange.
Alex^r Cuming, of Logie.
George Cuthbert, of Castle Hill.
John Cuthbert, of Castle Hill, yor.
Robert Urquhart, of Burdsyard.
Alex^r Dunbar, of Moy.
Lodwick Dunbar, of Moy, yor.
Coline Campbell, of Delnes.
John Rose, of Blackhills.
James Sutherland, of Kinsterie.
James Sutherland, of Greenhall.
Jonathan Dunbar, of Tulliglens.
Hugh Rose, of Claver.
John Rose, of Bradlies.
Thomas Tullock, of Fanochie.
John Brodie, of Windie Hills.
James Brodie, of White Hills.
James Dunbar, of Cleves.
John Roy, Baillie of Forress.
John Finlay, Baillie.
Robert Logan, Baillie.
Robert Ephington, Baillie.
Thomas Urquhart, Dean of Guild.
Alex^r Paterson, Theasurer.
Robert Urquhart, Counseller.
John Brodie, Counseller.
William Dawson, Counseller.
Alexander Piterkin, Counseller.
Mr William Stuart, Minister of Inverness.
Mr Robert Baillie, Minister of Inverness.
Mr Alex^r Fraser, Minister of Croy.
Mr Thomas Fraser, Minister of Stratherick.
Mr James Calder, Minister of Calder.
Mr George Brodie, Preacher.
George Mackay, Shiriff of Nairne.

A List of the considerable Persons of the Shires of Ross and Sutherland, that sign'd this Adress to his Majesty, in favours of the Lord Lovat; and who are known to be zealously affected to the present constitution, and the most landed men in those Shires.

Earle of Sutherland.
Lord Strath Naver.
Hugh Rose, of Killravock, Shiriff prin[l] of Ross-shire.
Sir Robert Munro, of Foulls.
Robert Munro yo[r] of Foulls, Member of Parliment.
Sir John Gordon, of Embo.
Sir William Gordon, of Dalpholly, Barronet, Member of Parll[t].
George Munro, of Cullraine.
John Sutherland, of Clyne.
David Ross, of Kindeas.
Malcomb Ross, of Pitcalny.
Thomas Ross, of Aldy.
John Ross, of Achnailoich.
George Munro, of Cullkairne.
Andrew Munro, of Wester town.
George Munro, of Newmor.
Hugh Munro, of Teaninish.
Hector Munro, of Novar.
John Munro, of Novar, yo[r]
Alex[r] Gordon, of Ardoch.
Adam Gordon, of Killfedder.
John Gordon, of Garthie.
William Robertson, of Craigmill.
William Ross, of Easter Fearn.
William Ross, of Breatangaill.
Arthur Ross, of Torroy.
Alex[r] Munro, of Kilsehoan.
Farq[r] Munro, of Wanard.
Hugh Munro, of Ardullie.
Hugh Munro, of Killcairne.
Alex[r] Gordon, of Wnehper.
Hugh Ross, of Folly.

No. CCCLXXI.

The Laird of Culloden to his brother Mr. Duncan Forbes.

Dear Brother, London, 14th May 1715.

* * * * * * * * * * * * * *

The report from the Committee will be before the House of Commons next week. Yesterday in the Committie of Supply we have voted his Majesty seven hunder thousand pounds sterline per annum for the maintenance of his civil list. The Tories made all the opposition to it they could, but in vain; for after a very hote debate, that was stuffed

stuffed with a deal of scurrilous reflections from both parties, and that lasted from twelve at noon to eight at night, the Tories lost it; noes 138, yeas 244.

Ther's no oyr newes but what you have in the print sent with the votes as fully as I can write. By it you may perseave that tho' Jacobitism be decaying with you, as you think, yett it is prevailing here; and indeed I most own it is so, much more than ever I thought it would have done. I cannot express the endeavours that are used to allienat the hearts of the people from his Majestie, and to create a dislike of his person and government in them. But I hope God will disappoint our just fears, and overthrow the wicked desyres of his enemies.

* * * * * * * * * * * * * * *

Mind me to our mother, to Ahnagarn, and to Tibie.

I am yours,

JO: FORBES.

No. CCCLXXII.

Copy of Lord Lovat's Grant.

By His Royal Highness the Prince Guardian of the Kingdom.

George P. C. R.

Let a grant be passed under His Maties Privy Seal of Scotland, in the words or to the effect following:

Our Souvereigne Lord, with the advice and consent of the Lord Cheif Baron, and the rest of the Barons of his Maties Court of Exchequer in Scotland, for the many brave and loyal services done and performed to his Ma^{ty} by Simon Lord Lovat, particularly for the zeal and activity he showed in suppressing the late unnatural rebellion in the north of Scotland, and for his known affection to his Ma^{tys} person and government, ordains a letter of gift to be made and passed under his Maties Privy Seal of Scotland, in due and competent forme; giving, granting, and disponing, like as his Ma^{ty}, with advice and consent forsaid, gives, grants, & dispones, to and in favours of Simon Lord Lovat, and his heirs and assigneys, the escheat of all goods, gear, debts, and sums of money, jewells, gold, silver, coined and uncoyned, utensills and domicills, horse, nolt, sheep, cornes, cattle, bonds, obligations, contracts, decreets, sentences, compromitts, and all other goods, gear, escheatable whatsomever, as well not named as named, which pertained of before to Alex^{r} McKenzie, of Fraserdale, the time of the sentence given and pronounced agst him by the Lord Justice Clerk and Comm^{rs} of Justiciary, for the causes after mentioned; or which have accressed, pertained, or belonged to him at any time since; or which shall happen to fall, accress, pertayn, or belong to him in any time coming; together with the said Alex^{r} McKenzie his life-rent, escheat of all lands, heretages, tenem^{ts}, annual rents, tacks, steedings, roomes, possessions, and others whatsoever, pertaining and belonging to him, with the whole mails, ferms, kaines, customes, casualtys, profits, and dutys of the same; and that of all years and termes bygone since the pronouncing of the aforesaid sentence, and of all years and terms in time coming during his life-time, now fallen and become in his Maties hands, and at his gift and disposition, by the sentence given and pronounced by the Lord Justice Clerk and Com^{rs} of Justiciary in North Britain agst the said Alex^{r} McKenzie, of Fraserdale, upon

the 13th day of Octr last 1715 years, for his contempt and wilfull disobedience, in not compearing at Edinburgh the foresaid day and year, according to the summons given him for that purpose; conform to and in the terms of an act of parliament of Great Britain, primo Georgii, entituled an act for encouraging all superiours, vassalls, landlords, and tenants in Scotland, who do and shall continue in their duty and loyalty to his Maty King George; and for discourageing all superiours, vassalls, landlords, and tenants there, who have or shall be guilty of rebellious practices against his Maty, and for making void all fraudulent entail, tailzies, & conveyances, made there for barring or excluding the effect of forfeitures that may have been or shall be incurred there on any such account; as also for calling any suspected person or persons, whose estates or principal residence are in Scotland, to appear at Edinburgh, or where it shall be judged expedient, to find bail for their good behaviour; and for the better disarming disaffected persons in Scotland. As also his Maty, with advice and consent foresaid, hath given, granted, and disponed, and hereby gives, grants, dispones to and in favours of the said Simon Lord Lovat, and his foresaids, the sum of £500. sterline money, fallen and become in his Matys hands, and at his Highnesse's gift and disposicon, by the foresaid sentence given and pronounced upon the said day and year, by the Lord Justice Clerk and Commrs of Justiciary in Scotland, against the said Alexr McKenzie; which said sentence is now remaining on record in his Matys said Court of Exchequr; whereby it appears, the said Lords, for the causes and upon the accott forsaid, did fine him in the said sum of £500. sterling, and declare his single and life-rent and escheat to be forfeited to his Maty, conforme to and in the terms of the aforesaid act of parliamt; as the same act of parliamt and sentence at more length bears; with full power to the said Simon Lord Lovat, and his foresaids, to intromit with uplift, ask, crave, & receive the foresaid goods, gears, debts, sums of money, and others above mentioned, fallen under the compass of the said single escheat; and to pursue for and recover the said sum of £500. sterling of fine fallen to his Maty, and hereby gifted by him in manner above written; and to possess, labour, & manure the said lands and others aforesaid, pertaining to the said Alexr McKenzie, either by themselves or tenants; and to intromit with uplift, ask, crave and receive the haills, maills, farms, profitts, & dutys thereof and others foresaids, fallen under the said liferent escheat, and that of all years and terms bygone since pronouncing of the aforesaid sentence, and in all time coming during the said Alexr McKenzie his life-time; and to call and pursue, sett, raise, use, and to do all & every other thing upon the premises sick like, and as freely in all respects, as the said Alexr McKenzie might have done therein at any time before the said sentence was pronounced agst him, or that his Maty might have done therein at any time sincesyne, freely, quietly, &ca without any revocation, &ca; and that the said life of gift be extended in the best form, with all clauses needfull.

Given at the Court of Hampton Court, this 23d day of Augst 1716, in the 3d year of his Maty reign.

By His Royal Highness's command,

R. WALPOLE.
WM ST QUINTIN.
R. EDGCUMBE.

No. CCCLXXIII.

No. CCCLXXIII.

Memorial for Lachlan Mackintosh, of Mackintosh.

[1716.]

THAT the Memorialist's ancestors, the people of his name, and vassalls, have at all times been faithful servants to the Crown and their country, and have constantly adhered to the pairty of the reformation in Scotland, and have been always reckoned a harmless and inoffensive people.

That, to their great misfortune, the small estate that remains to y^r^ Memorialist, charged with much debt, is adjacent to the liveings of the Macdonalds & Camerons, and others, who for the most part have since the revolution, & most eminently at this time, shewne their disaffection to the Government.

That in a particular manner y^r^ Memorialist & friends, vassalls, & tennants, were exposed to the fury & resentment of the Mackdonalds, who have within these eight or nine & twenty years invaded, pillaged, & plundered, that part of the country which belongs to him, & had the boldness to attack his father & a body of Mackintoshes, supported by two companies of regular forces, and, after a considerable slaughter of y^r^ Memorialist's relations, to make his s^d^ father prisoner.

That the Memorialist's father haveing, at the revolution, refus'd to joyn those who took up arms against King William, did of new incurr the envy of his neighbours; & the same M^c^Donalds did again burn & waste his country; of which he nor his friends, vassalls, & tennants, were never able to recover reparation.

That your Memorialist was never concerned in the money that was distributed in the late reign to the Clans, nor indeed gave any evidence of disaffection, till the late fatal time of his being engaged in this rebellion.

That when the s^d^ unfortunate & unjustifiable rebellion broke out, the Memorialist, his friends, vassalls, & tennants, being surrounded with enemies, and he having too great a facility and reliance upon some of his neighbours & relations, was engaged, partly out of desire to preserve his country, where he could not remain in safety neutral, partly out of weak compliance to those friends & neighbours, manifestly against his duty, & against the intreaties & councils of some of his best & nearest friends & relations.

That, being thus unhappily engaged, he & too great a number of his friends & followers, that were in the rebellion, did behave themselves with all possible moderation; and at home his wife did assemble to the amount of 400 men to defend the country ag^st^ the Rebells that remained in those parts, & who were marching in a body cross the country.

That about that time Sr John M^c^Kenzie, of Coul, who was governor for the Rebells in Inverness, finding his garrison weak, did much solicit the Memorialist's wife to assist with 200 of these men; but she refused, & stood upon her own defence; to which refusal may be ascribed, in some part, the bloodless surrender of that important place to the Lord Lovat, Capt. George Grant, brother to brigadier Grant, the Lairds of Kilraik, Culloden, and others.

That the said Memorialist's wife, so soon as my Lord Lovat & those with him were masters of Inverness, came to that place, & made offer of what men she had to joyn the Ld Lovat, &^c^. But his Lop & the other gentlemen with him, being jealous of that part of the Memorialist's followers, on account of the ill conduct of your Memorialist & his

& his other friends in the rebellion, refus'd to admitt them to joyn, & desired they might give up such arms as they had: to which the Memorialist's wife gave ready compliance, & those arms were brought in & delivered accordingly.

That this transaction, of offering to joyn, & disarming of the men, happened before any treaty with the Earl of Seafort or Marq^{r} Huntly, & when the Rebells were in great expectation of foreign assistance, & the aryval of the Pretender, who did aryve accordingly in a very short time thereafter.

That the garrison of Inverness, under the Earl of Sutherland & the Lord Lovat, &^{ca}. being in extream want of provisions, & desiring relief from the s^{d} Memorialist's wife, she sent in an hundred cows for the service of the Government, & took bills for them, chiefly that it might appear that what assistance she gave was of choice & not by compulsion; & in fact the s^{d} garrison of Inverness was so satisfied w^{t} the sincerity of the Memorialist's wife & friends, that they allow'd her to possess her house, whilst garrisons were put in the houses of other Rebells.

All which facts the Memorialist presumes will be attested by persons of undoubted credite & affection to the Government, to whom the Memorialist's person, & the circumstances of his family, friends, & followers, are known.

That from thence yor Memorialist humbly presumes to plead the merit of the long service of his family, fidelity of friends, name, & followers, to the Crown, Countrey, Reformation & Revolution; as well as the just & fair proceedings of the Memorialist's wife & his relations & followers in his absence, as a leviation and abatement to the guilt of his being concerned in this most unnatural & most unjustifiable rebellion; into which he hath been drawn chiefly out of fear for the wasting of his estate, & abuses to be committed on himself, friends, & followers; & out of too great simplicity & reliance on some of his friends & neighbours.

No. CCCLXXIV.

The Laird of Culloden to his Brother Mr Duncan Forbes.

Dear Brother, Lond. 25th June 1717.

In answer to your angry letter, know that the Lord Oxfoord's tryall came on yesterday at 12 o'clock in Westminster Hall; wher the King and both Houses of Parliament were present. Oxfoord was brought to the barr, and the ax caried before him, and stood by him all the tyme. The articles of impeachment and his Lordship's answers were read, which took up a great deall of tyme, even till after six at night. But, tho' it was late, the managers for the Commons desyred the first article to be read again; and when it was read, and Sir Joseph Jackell began to speak to it, my Lord Harcourt moved, That the Lords should adjourn to ther own house; which was accordingly done, and we also adjourned to ours, wher some bills were read; and about eight o'clock we had a messadge from ye Lords, sheweing that ther Lo^{ps} were again gone to Westminster hall, wher they expected the Commons. We accordingly went; and then my Lord Steward told us that the Lords had come to a resolution that the Commons be not admitted to proceed on the articles of high crymes and misdemeanours against E. Oxford and Mortimar, till first judgement was given on the articles of high treason that were exhibited against him. To which the Solicitor Generall, in name of the Managers, answer'd, that the resolution taken by ther Lo^{ps} was of such fatal consequences to the liberty of the Commons, that they could not take upon them to answer, till they had furder directions from the House, to which they now were obliged

to resort; so we both parted, and mett again this day att ten a clock. In the interim, the Managers had prepaird ther answer; and att twelve a'clock we had a messadge from the Lords, showeing that ther Lops were in Westminster Hall, rady to goe on with the tryall, and that Oxfoord was at the barr. To which the Commons, in answer, sent a messadge to the Lords by Mr Cartright, that the resolution ther Lops had come to last night was of such a nature, and might be of such dangerous consequencies to the libertys of the Commons, that they must have some tyme allowed them to look out for precedents; and after some debate in the House, ther Lops allowed till Thursday next at eleven a clock. Now, dr Brother of myne, this is all has passed since Oxfoord came on the stadge at Westminster. The bill impowering the Commissioners of Inquirie to play the Devill and all with mankynd is past our House; but I am tolld, by a very good hand, that it will not pass the Lords, att least not so easily. Tho' I am now wearie, and has writ a good deall, I know you'll think it all tryfling, and not so good as the tale of a tub. I own it; but by G—d I cannot help it; for I tell you all I know; and if your oyr correspondents are as tryfleing as I, lett them answer for themselves.

JO. FORBES.

The generall oppinion is, that the Commons will not agree with the resolution of the Lords; so Oxfoord will get off scott free, and the Parliat will be up very soon.

No. CCCLXXV.

QUESTIONS put to the Magistrates of Glasgow, the 15th July 1725, in presence of Generall Wade, Collonell Spotswood, and Coll Guest, by His Majesty's Advocate; together with the Answers then made.

1st Question.

Was it not reported, and did you not hear, on or before the 23d of June last, that the Mob would deny the Malt Officers access to survey?

The Provost	Did hear of such reports amongst inferior people.
B. Sterline	Did not hear any such report.
B. Johnson	Did not hear of any such report.
B. Mitchell	Did hear such a report amongst the inferior people.
D. of Guild	Heard it so reported by some, & the
Stark	contrary reported by others.
D. Convener	Answers the same as the D. of Guild. But upon hearing the questions, with the answer, read over again, the D. of Guild and D. Convener say, they did not hear any such thing reported.

2d.

Did you not know, on the 24th of June, or the day preceding, that the Officers were so intimidated with those threats, that they durst not attempt to survey the malt?

The Provost	Sayeth, that he believes the threats of the mob intimidated the officers from making their survey; and adds, as the reason of his belief, that the officers came to complain to him.
B. Sterline	Knew nothing of the matter, having been
B. Johnson	out of town.
B. Mitchell,	Believed on the said 24th of June that the
D. of Guild, &	officers were intimidated from demanding
D. Convener,	entries by the threats of the mob.

3d.

Did you not hear, or believe, that the Mobbish Assemblies, which you saw in the Streets on the 24th, down till the Evening, were meant against the Malt tax, to hinder the levying thereof?

GEORGE WADE.
A. SPOTSWOOD.
JOS. GUEST.

The Provost	Says, he believes those riotous assemblies were intended to prevent the laying the malt tax.
B. Sterline	Knew nothing of the matter, for the
B. Johnson	same reason as before.
B. Mitchell	Saw no ryotous assemblies that day; having withdrawn to his house a little after ten in the morning, where he stayed without hearing of any disturbance all that day and night.
D. of Guild	Say as the Provost has said.
D. Convener	

4th.

Were there not such Mobbish Assemblies on the Streets in Anno 171 , when first the Malt tax was by Law to have taken place in Scotland?

The Provost	Saw no such mobbish assemblies as mentioned in the question in that year; but has heard and believed there were such.
B. Sterline	Knows nothing of the matter.
B. Johnson & B. Mitchell	Answer the same as the Provost.
D. of Guild	Knows nothing of the matter.
D. Conveener	Answers the same with the Provost.

5th.

Did you not know, or was you not informed, that the intent of sending the 2 Companys of Forces to your Town was to enable you to suppress Mobs, and to assist the Officers of the Revenue in the Execution of their Office?

The Provost	Knew that the troops were sent to assist the Civill Magistrate in the suppression of mobs, and in the execution of the malt tax law.
B. Sterline	Knew nothing for the former reason.
B. Johnson	
B. Mitchell	Knew that they came to the town, from his son in law's coming to him to complain that two soldiers were quartered on him, and believed that they came to preserve the peace of the place.
D. of Guild	Says, that he knew the troops were in town; but did not know, neither was he informed, what the design of their coming was.
D. Conveener	Believed they came to preserve the peace of the place.

6th.

Was the Guard room delivered to the Troops that night? and why did you not order the Door to be broken open?

The Provoſt ſays,	The Key of the guard room having been carried off by the mob, he ordered his officers to break open the doors; and the officers having reported that they were beat off by the mob, he proposed to go in person to see open doors made; but was disswaded by some Burgesses who stood by him; namely, Ja. Henderson, & R. Hunter, who said the attempt might endanger the troops, as weell as the citizens, and his own person; upon which he desisted.
B. Sterline	Know nothing, for the former reason.
B. Johnson	

B. Mitchell	Knew nothing, being at home.
D. Guild	Knows not from proper knowledge; having been abroad in the fields taking a walk, from four o'clock till the troops were in quarters.
D. Conveener	Knows nothing but from hearsay; having been out of the way when the Provost was disswaded to break open the door.

7th.

Was there not the same danger of a Mob the next day, after Shawfield's house was destroyed? and how came you then to venture to break open the Guard Room Door?

The Provost	Believes there might have been the same danger of a mob; but then he had time to gather together a good number of the citizens of condition, who attended him to the guard, and might as he hoped be able to disperse the mob.
B. Sterline, B. Johnson	Knew nothing, for the former reason.
B. Mitchell	Knows nothing; having left the town between nine & ten that morning, in order to go and be married.
D. of Guild, D. Conveener	Say the same as the Provost.

8th.

Did you, ever since the Revolution, know that the Town of Glasgow was one night without a Burgher Guard, till the said 24th of June, except when the regular Troops had possession of the Guard?

GEORGE WADE.
A. SPOTSWOOD.
JOS. GUEST.

The Provost, B. Sterline, B. Johnson, B. Mitchell, D. of Guild, D. Conveener,	Say, that uniformly & regularly, by the rules and statutes of the town, a Burgher guard ought to be mounted every night; and that generally, and universally within his memory, such guards have been keeped; but that sometimes it has happened, that the citizens summoned to the guard have neglected their duty, and there was no guard; and then they have been fined, or were lyable to be fined.

9th.

When you had notice that the Mob was attacking Mr Campbell's house at ten o'clock at night, and when the Provost and Dean of Guild went to exhort the Mob to be gone, how many of the 12 Town Officers had you allongst with you? Why did you not call for the whole, and other assistance?

The Provost	Says, that when first he heard of the mob's attacking Shawfield's house, he ordered the Town Clerk to order all the Town Officers to attend; that he with the Dean of Guild, and 4 or 5 other Burgesses, went up to the rioters, and ordered them to disperse; doing all they could, by entreaty, to disypate them; that when they came as far as the mob, he did not observe above four or five of the Town Officers allongst with him; nor could he of the sudden get any other assistance at that time; a town guard of Burgesses, which he had ordered to mount on the troops going into quarters, having neglected to come to their duty.
B. Sterline, B. Johnson	Know nothing, for the former reason.
B. Mitchell	Was a-bed, and so knew nothing.
D. of Guild	Agrees with the Provost.
D. Conveener	Was a-bed, and knows nothing.

10th. Why was not the Proclamation read for dissypating the Mob?	The Provost	Had copys of the proclamation ready written in his pocket, with ane intent to read it; but when he was about to read it, he was diswaded because of the danger from the mob when he had no sufficient force to support him; besides that, he saw three of his officers knocked down by the mob.
	D. of Guild	Did not think of the proclamation at the time.
	All the rest	Knew nothing, for the same reason as above.
11th. Did not the Officer who commanded the Troops send a Serjeant to the Provost between eleven and twelve o'clock Thursday's night, to offer the assistance of the Troops? And whether was that offer rejected, or for what reason?	The Provost	Says, the serjeant came to him at the time mentioned in the querie, with a tender from the officer of the assistance of the troops. The Provost answered, that tho' he should be very glad of their assistance, yet he was affraid it was impossible to have it; because, as the men were a-bed in separate quarters, the mob might knock them on the head before they could be got together; to which the serjeant replied, that that was the case; and the provost dismissed the serjeant, after he had further told him that the mob, having got possession of the house, with lights in every room, the affaire would be over before the troops could come to assist.
	Ceteri	Knew nothing from proper knowledge.
12th. On Friday's morning, when it was resolved to mount a Burgher Guard, and when the Dean of Guild, with a Committee of Merchants, met in the Coffee house to setle that matter; was it not proposed by one of the Company, that they should assemble in arms; and was not that proposition over-ruled; and was not the Dean of Guild of opinion with the majority?	D. of Guild	Says, that at the time and place mentioned in the querie, a question was moved, whether the merchants to be drawn out of each company were to mount with arms or with staves only; and the majority was of opinion they should not carry arms; of which opinion the Dean of Guild then was; having been told, and believing at that time, that it was contrary to law to mount with arms; but upon the Provost's giving his finall orders concerning that guard, they were ordered to mount with arms; and that when the resolution was carried to the Provost by the Dean of Guild, and two or three other merchants, no mention was made, whether the guard was to mount with or without arms.
GEORGE WADE. A. SPOTSWOOD. JOS. GUEST.	Ceteri	Knew nothing.
13th. Was not James Falconer, maltman, and Henry Luke, bookbinder, who are now prisoners for having pursued the troops out of town, two of the persons that were ordered to mount guard for the preservation of the peace?	All	Knew nothing.

14th.

By whose orders was the Burgher guard mounted that Friday's night? and was not the said Henry Luke one of that guard? and was there any other of those who pursued the souldiers employed in that service?

D. of Guild — Says, that when the mob had run out of the town in pursuit of the troops, he, with the Deacon Convener, and several other respectable Burgesses, bethought themselves of takeing hold of the guard with as good a number of well-affected citizens as they could bring together, in order to secure the town against pillaging by the mob; and accordingly they got about 50 or 60 Inhabitants into the guard-room, and the D. of Guild stayed there till the mob returned with the prisoners; but then, being informed that the mob had a personall design against him, he left the guard to Dec. Conveener's care, and went out of the way. He saw not Luke, nor any other person who had followed the troops on that guard.

D. Conveener — Agrees in every thing, except that he saw Luke in the guard doing duty; but that was after the Dean of Guild was gone; and he with the guard remained till 5 o'clock in the morning, and mounted the next night on the same design.

Ceteri — Knew nothing.

15th.

When did Bailly Sterline leave the Town? How came he to leave it at that juncture? Did he not say to His Majesty's Advocate at Edinburgh, on Friday's forenoon, that he was just going to put his foot in the stirrup to return home on the first news of the mob? Did he return directly to Glasgow, & how long did he tarry by the way?

B. Sterline — Left Glasgow the eighth of June about business; thought there was no danger in the juncture; acknowledges that on Friday, after eleven o'clock, being called on by the Advocate, and spoken to on the subject of the first night's riot in Glasgow, he said he was going to Glasgow, but did not say he was going straight to Glasgow, or that he was going to put his foot in the stirrup; he further sayeth, that he went to Borroustoness, where he had business; and having there heard dismall storys of the Friday's ryot, he sent into town, to know how all was, and what use there might be for him; with orders, in case he could be of any service, to send a horse express for him; but having had no call from Glasgow, he staid in Borroustoness till Tuesday.

GEORGE WADE
A. SPOTSWOOD.
JOS. GUEST.

Ceteri — Knew nothing.

16th.

Whether did Bailly Mitchell appear in the streets the evening of the first mob to attend his duty in dissipating the ryoters? How did he dispose of himself that night, & in what company? Whether he

B. Mitchell — Is present Trades Bailly, and a maltman; went home between ten & 11 on Thursday's forenoon; keeped his house all that day and the night following till 5 o'clock in the morning; heard of no mob; and tho' his son-in-law came in to him as above, and the servants were frequently going in and out, they told him no tidings of any such thing; so went to bed that

did not stay in town till the next day; and whether he did not then leave it in the forenoon, & for what reason? Is he not present Trades Bailly and a maltman?

night at ten. Next morning, by 5, went to his malt kiln; went and saw the ruin of Shawfield's house; and after nine went to Port Glasgow to be married; but did not call upon the Provost, or any other Magistrate, to take measures for the security of the place, before he went. The reason why he keeped the house the night before was, that he was preparing for his marriage.

Ceteri - - Knew nothing.

17th.

Whether did not the Deacon Conveener absent himself from the Provost on Thursday's night before the mob invaded Shawfield's house? How did he dispose of himself for that night, and in what company?

D. Conveener - Sayeth, that he left the Provost and went into a change house, with two or three acquaintances, to drink a bottle; not believing there was any danger from a mob. He says, he knew the mob had run away with the keys of the guard room; but did not imagine any danger was to ensue from that. Stayed in the change house till 9 o'clock at night, and then went home, having heard of no mob.

Ceteri - Knew nothing.

18th.

Whether did the Magistrates, or any of them, and by whose order, take ane examination into the conduct of the officer who commanded the guard of regular troops, and the behaviour of the mob; and who took the said examination; and whether it is still entrant, or where?

B. Sterline - Says, that upon receiving the Caledonian Mercury from Edinburgh, severall of the inhabitants importuned the Magistrates that a true account of the transactions should be taken from witnesses, because they apprehended there were severall injurious reflections in the printed account; and accordingly, in presence of Bailly Sterline, B. Johnson, and the Dean of Guild, several Burgesses of credite gave declarations of what they saw and heard; from which the account was drawn that was signed by B. Sterline and B. Johnsone in a letter sent into Edinburgh in order to be printed.

B. Johnson & D. of Guild - Agree.

The rest - Knew nothing.

19th.

Whether did Bailly Sterline & Bailly Johnson write or sign the letter now produced, bearing their subscriptions, and containing a pretended narrative of the tumults at Glasgow, intended to be inserted in the publick News Papers, and afterwards printed and hawked about in a detached piece of paper?

B. Sterline & B. Johnson - Agree that the letter produced is the original signed by them.

GEORGE WADE.
A. SPOTSWOOD.
JOS. GUEST.

20th.

Why did not the Magistrates seize any of the Offenders in those ryots after the tumult was over; or search for, or secure, any of the stolen goods?

The Provost	Sayeth, that he was so terrified with the various reports of the threats of the mob, that he was forced to leave the town and abscond for his safety.
Ceteri	That the reason why they took no steps against the ryoters was, that they were afraid of their rage and force, which they could not deal with without assistance; and therefor, though all seemed quiet, it was not safe to provoke them.

21st.

Were not workmen employed by the Towns Magistrates, before the troops came up, to repair such parts of the roof of M'Campbell's house as had been destroyed? and why was that done before the condition of the house was regularly viewed, and a fair estimation made of the damages sustained?

B. Sterline, B. Johnson, and The D. Conveener	Ordered the roof to be repaired, for no other end than to preserve the floors, and the timber of the roof that still was left, from the rains.

22d.

Did not His Majesty's Advocate charge Dean of Guild Stark, and Bailly Ramsay, at Edinburgh, as the best way of clearing the Magistracy of suspicion, to employ all diligence in discovering the chief ryoters, together with the proper evidence against them? Did not the said D. of Guild Stark, and B. Ramsay, report the same to the Councill? Did not Bailley Sterline, immediately on the Advocate's arrivall at Glasgow, acquaint him that the Magistrates had made out such a list; and did not the Provost, in presence of the Magistrates, on Saturday the tenth instant, deliver to the Advocate the list now produced, containing the names of 4 women and 3 men only as offenders?

The Dean of Guild	Declares, that the Advocate gave in charge to him and Ramsay as in the querie; and that they reported accordingly to the Magistrates.
B. Sterline	Acknowledges, that upon the Advocate's coming to town, and questioning him whether the Magistrates had prepared such a list; he said they had.
The Provost	Says, that the list produced referred to in the querie, containing the names of three men and four women, is the very paper he delivered to the Advocate in presence of the Magistrates on the tenth instant.
B. Sterline & The D. of Guild	Say, that tho' they cannot be positive that the paper produced is the individuall writing which they saw delivered by the Provost; yet, upon comparing it with the originall that was produced by the Provost, it contains the very same persons, and none other.
B. Sterline	Reforms his first answer to this querie, and affirms, he told the Advocate no more than that he heard there was a list, which he believed the Advocate should see.

23d.

Did the Magistrates then, at any time before, or since that time, exhibite to the Advocate, or any other person, any other information concerning their Inhabitants who were offenders?

All — Agree they did not.

GEORGE WADE.
A. SPOTSWOOD.
JOS. GUEST.

24th. Why did the Magistrates omitt to do their duty in that respect, since it could not possibly be attended with danger after the troops came into the town?	The Provost	Declares, that what hindered him to make that inquisition which his duty required was, that he was afraid of the future resentment of the mob.
	B. Sterline	Enquired at severall people who were present, in order to recover information of the actors, but could meet with no discovery.
	B. Johnson	Did the like, and had the same ill luck.
	B. Mitchell	Made no enquiry, and was frequently out of town with his wife, and had no intimation of the Advocate's directions.
	D. of Guild	Made no enquiry at all; having been charged with nothing by the Advocate, but to acquaint the Magistrates; and was likeways afraid.
	D. Conveener	Made no enquiry, because the Magistrates never acquainted him they had directions to that purpose.
25th. How came it about, that on Saturday, after the Burgher guard was mounted by the Conveener, they suffered the mob to pull down the leads and slates from the roof of the house in broad day-light?	D. Conveener	Tho' his guard did their business in the night, yet they were dismissed in the morning; and it was not safe to meddle with the ryoters.

This and the six preceding papers, on each of which we have signed our names, contain the original examination taken of the Magistrates of Glasgow, by His Majesty's Advocate, on Thursday the 15th instant, before us, General Wade, Col^{l} Spotswood, and Col^{l} Guest. In witness whereof, we have signed this and every other page of this examination; and have also signed our names to the originall letter, and to the list of offenders said to be produced in this examination.

GEORGE WADE.
A. SPOTSWOOD.
JOS. GUEST.

No. CCCLXXVI.

Mr Delafaye to the Lord Advocate.

My Lord, Whitehall, July 29th 1725.

I HAVE laid before the Lords Justices yor Lop's letter of the 20th inst, with the several Papers inclosed; by which their Ex^{cys}, with great approbation, saw the pains & care you have taken in the execution of their orders to you, with relation to the late tumults at Glasgow.

Their Ex^{cys} have commanded me to signify to yor Lop their further directions, that you prosecute with vigour, not only the persons concerned in those tumults, but also the Magistrates of that town, who, by the examinations you have taken, appear to have been guilty of gross malversation, in not taking due care (to say no worse) to prevent or suppress the riot; and as you mention, that you have proofs against some of the

the criminals, as having been in pursuit of the King's troops, which involves them in the guilt of high treason, their Ex^cys have thought fit, that, notwithstanding their former directions, if yor Lop̃ find it proper to prosecute any of them for that crime, you should do it: and a particular commission of oyer and terminer being necessary in that case, their Ex^cys would have you send them the names of such persons as you shall judge proper to be put into such commission.

I cannot conclude, without mentioning, that nothing could be more clear & satisfactory than the method in which your narrative is drawn, and supported by the several papers to which it referrs. And indeed the abilitys you have shown, in all your proceedings in this affair, & your manner of writing upon it, give all possible reason to expect that, thro' your care and good management, the success of it will be such, as must redound to your own honour, and to the ease and security of His Maj^ty's Government, and the preservation of the peace and good order in your parts; in which I heartily wish you success, and am, with great truth and respect,

My Lord,

Yo^r Lop̃'s most obedient humble Servant

CH: DELAFAYE.

No. CCCLXXVII.

The Lord Advocate to Mr Delafaye.

Sir, Edinburgh, 3^d August 1725.

I HAVE received your's of the 29th ultimo, signifying the Lord's Justices command to prosecute with vigour, not only the persons concerned in the late tumults at Glasgow, but also the Magistrates of that town; with this further direction, that such persons as can be proved to have been in arms in pursuit of the King's forces should be prosecuted for high treason, if I should think it proper to prosecute any of them for that crime; and that the names of fit persons be transmitted to their Excellencies, towards making out a commission of oyer and terminer.

As to this last matter, tho' the crime of the offenders may in a very proper construction amount to high treason, and tho" the present conjuncture undoubtedly demands the most exemplary punishment; yet there are so many difficulties that lye in the way of making that punishment effectual, that I must humbly submitt it to their Excellencies, whether it is not more expedient to carry on a prosecution which will be attended with abundance of terrour, and probably may end in a severe punishment, than to attempt a tryall which, as matters presently stand, would certainly be fruitless.

In the disposition in which the country now is, it would be utterly impossible to pick up a grand jury, for example, that would find bills against these rioters, or that could be convinced that their offence is within the construction of law high treason; and this the Lords Justices may thorowly be convinced of, when they reflect upon the success of commissioners of oyer and terminer sent into this Country five or six years ago.

Another difficulty is, that supposing bills were found, yet the liberty of peremptory challenges is such, that we could not possibly promise, out of the county where Glasgow lyes, to find a jury that would bring the offenders in guilty.

Whereas a prosecution for felony, or any lesser crime, is not by the law of Scotland liable to either of these inconveniencies. For, 1st there is no occasion for finding of bills or presentments; His Majesties Advocat, by his single act, *Virtute Officii*, gives the

indictment; and in the next place, by the law of Scotland no such thing is known as a peremptor challenge; so that if we can find 15 honest men for the jury, which is the number of jurors in criminal tryalls in Scotland, we may have just hopes of success. Besides that in tryalls for felony, &c. when the prosecution is carryed on before the Court of Justiciary at Edinburgh, we are not confined to a jury of the county where the offence was committed.

These are the considerations that determine me to think, that it is more expedient to carry on these prosecutions according to the first directions which I had the honour to receive, than to attempt a tryall for high treason, which undoubtedly must prove successless; and therefore if it should prove agreeable to the Lords Justices, I purpose, without loss of time, to proceed against the rioters as guilty of felony, by the act of the first of the King against riots; and as guilty of taking up arms, and invading in a hostile manner His Majesty's forces, that were posted in the town for the preservation of the publick peace, and for assisting the civill Magistrate in the execution of the laws, and in levying the duties granted to his Majestie by act of Parliament; founding on certain Scotch acts of Parliament, and particullarly on the act 83d Parliament 9th of Queen Mary, which makes convocations of men in arms within burghs, without licence of the Sovereign or the Magistrates, capitall.

At the same time that this prosecution is going forward, I should incline to have the tryall of the Magistrates carryed on, whose guilt I conceive to be by much the greatest, tho' they have used art successfully to hide it; and whose punishment will be of greater consequence to the public peace than that of the more obscure offenders.

The tryall, indeed, of the rioters ought I think to precede that of the Magistrates two or three days; because in it the extravagance of the Mob's proceedings, and of the outrages by them committed, will be explained to the people; so that in the tryall of the Magistrates nothing will remain, but to shew, by their criminall inaction and neglect of duty, their accession to the guilt.

I am very sensible the evidence I am at present possessed of against the Magistrates will amount to no more than a proof of malversation in office; the consequence whereof may be deprivation & incapacity; but even that punishment, I am confident, will by its example do a great deall of service to the publick, in convincing Magistrates every where that it is not safe for them to be passive.

If this course of proceeding shall be agreeable to the Lords Justices, I shall take care to have matters so prepared, that, upon the very first notice from their Excellencies, the prosecutions shall without loss of time be commenced.

I have nothing to add to my last, concerning the state of the Maltsters in this town, who continue in the same obstinacy as formerly, but that endeavours are used to convince them, if possible; and that a very strict eye is kept over them, to prevent all disorders, untill I shall have received the Lords Justices commands concerning them.

I am, Sir, with great respect,

Your most humble

& most obedient Servt.

No. CCCLXXVIII.

Mr Delafaye to the Lord Advocate.

My Lord, Whitehall, 5th August 1725.

UPON my laying before the Lords Justices the letters I had the honour to receive from you of the 27th and 29th of the last month, the last of which relates to the confederacy

confederacy among the brewers at Edinburgh, and the proceedings of the Lords of Session thereupon; their Exc^ys commanded me to signify their approbation & thanks to their Lordships, which I have accordingly done in a letter to my Lord President.

I am also commanded to acquaint your Lordship with their Ex^cys intire approbation of your conduct upon this occasion; of whose vigilance, care, and wisdom, they have such signal proofs, that their Ex^cys judged the best direction they could give for your further proceedings in this matter was, to leave them entirely to your own discretion; who from its circumstances, which as you observe are subject to much variation, are best able to judge what is most fit to be done. Their Ex^cys have, therefore, thought it most proper that, according to what I have formerly signify'd to you by their order, you should continue to act in these affairs according to your own judgement, on which they have a very well grounded relyance; and will not enter into particulars, but approve of all your sentiments; in which you will continue, or not, as the state of affairs for the time being shall suggest to you to be most adviseable.

The Lords Justices greatly commended your care and diligence in the affair of the imprisonment of the soldiers at Elgin; and were extremely well pleased with the Magistrates' ready compliance with what you recommended to them; and as their Ex^cys intention in that respect is answered, you will please to return me the letter I had been ordered to write to those Magistrates, in the stopping of which you acted with your usual prudence.

I heartily wish you success, and am, with great truth and esteem,

My Lord,

Your Lord^p most obedient humble Servant,

CH. DELAFAYE.

No. CCCLXXIX.

Mr Delafaye to the Lord Advocate.

My Lord, Whitehall, 10th August 1725.

I RECEIVED yesterday the honour of your Lordship's letter of the 3^d instant, which I shall lay before the Lords Justices at their meeting next Thursday; in the mean time you will give me leave to acquaint you, that their Ex^cys meaning, in what I wrote to your Lord^p by their command on the 29th of the last month, was by no means to put you under any restraint; but, on the contrary, to leave you at liberty to prosecute any of the rioters at Glasgow for high treason if your Lord^p should think it proper; by taking off the restriction they had before laid you under in that respect, for those very reasons which your Lord^p mentions in your letter.

These matters, my Lord, must, as I have already mentioned in my former letters, be left entirely to your discretion; and you have shown so right a judgment in every step you have taken, that I am sure you need be under no manner of apprehension, but all you do will be approved by their Ex^cys; as what you have already done, so far as is come to the King's knowledge, has already received his Majesty's entire approbation; the King's pleasure being signified to my Lord Duke of Newcastle, who is at present out of town, by a letter from my Lord Townshend of the 3^d 14th instant, received yesterday, that his Grace should acquaint you therewith in his Maj^ys name, and assure you that the King was perfectly well satisfied with your conduct, and desired you would continue the same diligence and care in the affairs you are entrusted with. This

you will have under his Grace's own hand; but as the letter came to me in his absence, I could not forbear taking the first opportunity of acquainting you with it; as what, I doubt not, will give you very great satisfaction, and contribute very much to support you, under the labour and trouble, which the present unhappy conjuncture has brought upon you.

What your Lordship proposes in relation to the prosecutions to be carried on, both of the Rioters and Magistrates of Glasgow, is so agreable to the directions already sent you, and to what I apprehend to be the intention of the Lords Justices, and is so well concerted in every respect, that I am perswaded you need make no manner of difficulty of going on, in that method, even before you receive their Ex^cy^s particular orders for it; which I doubt not but I shall be commanded to send you next Thursday; services of this nature being sometimes hurt by delays. But of this your Lordship is the best judge; and therefore I hope you will forgive my freedom, in troubling you with my own poor thoughts, which I beg you will believe is entirely owing to the zeal and respect with which I have the honour to be,

My Lord,

Your Lord^p^s most obedient humble servant,

CH. DELAFAYE.

No. CCCLXXX.

Mr. Delafaye to the Lord Advocate.

My Lord, Whitehall, June 30th, 1726.

I RECEIVED the honour of your Lo^p^'s letter of the 21st ins^t^ and gave it to my Lord Duke of Newcastle, who laid it before the King, & has ordered me to acquaint you that his Ma^ty^ was extreemly pleased with the accounts you give of the state of affairs in Scotland; the quiet and peaceable situation of which is in very great measure imputed to your care and pains to bring people into a reasonable way of thinking.

We have no domestick news; matters abroad have a very fair prospect; the chicanes in Holland are over, and we shall now very soon have their accession in ye manner we desired, and that of Sweden.

I send Mr. Campbell, by this post, the instrument for Baron Lant to be Chief Baron. I shall not fail, in a post or two, to send you the commission for a clerk of the peace; it has been prepared long since; but my masters can hardly be got to do what they think will wayt. Indeed, I must do them justice, this has been a time of hurry; I myself went to bed this morning by broad daylight at ½ ho. past 3.

I am, with ye most sincere & hearty respect,

My Lord,

Your Lo^p^'s most obedient & most humble servant,

CH. DELAFAYE.

I have a thousand compliments to you from my Lord Duke.

No. CCCLXXXI.

Lord Lovat to the Lord Advocate.

My dear General, London, ye 7th of July 1726.

I DO not often trouble you w^t^ my letters; but I canot forbear soliciting of you, in favours of my near relation Ranald Mc Donald of Binbekula, now the true & righteous

righteous heir of Clanrandalt. I spoke to the Duke of Argyle several tymes of him; & his Grace promised to do any reasonable favour & frēdship y^t ye Lady Clanrandalt would ask of him, in favours of the heir male and head of the family; so I am convinc'd y^t ye maner of doing ỹ^t affair essentially right for Clanrandalt depends very much on you; I knowe you are naturally inclin'd to do good, & you never could resist ye solicitations of such a fine woman as ye Lady Clanrandalt; nor do I think ye you will be ye slower in doing this gentilman service, y^t he is my near relation, & that I recommend his affair to you as my own; since you know y^t no man is more zealously & affectionatly your most faithfull slave than

LOVATT.

No. CCCLXXXII.

Mr Scrope to the Lord Advocate.

My Lord,

I HAVE ye honour of yours of ye 15th; &, whatever I think of other p̃sons & things, nothing relating to you will ever be looked upon by me wth indifference. Y^e hints in your letter were so very material at this time, y^t I thought I should be wanting in my duty to my master, & in my friendship to you, if I did not shew it to him; & therefore I ventured to do it, notw^thstanding ye caution you gave me. He read your letter wth great attention; said ye kindest things possible of you; & concluded, y^t nobody could hurt you wth him. He was uneasy about the old gentleman's affaire, & said he knew not your concern for him till it was too late. Y^e p̃ticulars of y^t managm^t I cannot communicate to you by letter; but do assure you I was not privy to it, nor knew any thing of it till ye blow was struck. He desired you to be in town by ye middle of January at farthest. I have not yet seen the Earle of Ilay, but am told ye new commission of excise does not please him. I am at present prety much hurryed; but if any thing comes to my knowledge necessary to be communicated to you, you shall be sure to hear from me; in ye mean time, let me beg you not to give yourself a moment's thought about what we are doing; for I can assure you, if our friends cared as little for money as we do, there would be an end of ye moonshine we have been amused wth. This hint, I guess, will be soon explained.

I am, wth great affection & regard,
My Lord,
Yo^r Lordship's most faithfull & most obedient humble serv^t,

Nov. 24th 1726. J. SCROPE.

No. CCCLXXXIII.

The Lord Advocate to the Duke of Newcastle.

My Lord,

THIS country continues in the same temper and tranquility as when I had the honour to write last to your Grace.

Mr Gordon, of Achintoull, who has a small estate in the county of Banff, who was a Major General in the Muscovite service till the year 1711, and in the late rebellion was employed by the Pretender, is lately come to Scotland. It was, I believe, intended to attaint him; but in the act of parliament, the 1st of the late King, he happens to be described by a false Christian name; and the misnomer is so considerable, that in a contest between him and the late commissioners of forfeitures, who seized the estate as forfeited, it was, after taking the opinion of all the Judges of England, adjudged in the

House of Lords, that the act of attainder was ineffectual, because of the misnomer; and the sentence appealed from, decreeing to him the property of his estate, was affirmed.

This Gentleman came to me this morning, and told me, that, tho' ever since the date of that judgement, which was in the year 1720, he looked upon himself as at liberty to return with safety to Scotland; yet he chose rather to withdraw from those persons with whom he had been formerly confederated, and to live retired at Buloigne, in France, whilst any jealousy or suspicion might be entertained in respect to his coming over; but now, perceiving a general prospect of universal peace and tranquility, and observing the King placed upon the throne with the unanimous consent and approbation of his people, he apprehended his return to his native country would give no manner of umbrage, and therefore he had chosen the party of coming over, with an intention to pass the remaining part of his life at home in quiet and obscurity. He said, it was his design, in talking to me, that I might, if I thought fit, lay his case before his Majesty; protesting that, however secure he thought himself in the protection of the laws, yet if it was his Majesty's pleasure that he should withdraw from his dominions, he would readily give him that mark of his obedience.

I thought it my duty to acquaint your Grace with this matter, to the end that if you think proper you may lay it before his Majesty.

I am, with the greatest duty and respect,
May it please your Grace,
Your Grace's most obedient and most humble servt,

Edr, August 8th 1727.
D. Newcastle.

No. CCCLXXXIV.

General Wade to the Lord Advocate.

Dr Sir, London, Novemr ye 23d, 1727.

I WAS in hopes, by delaying to answer your kind Letter, I should have been able to have acknowledged your favour by sending you some news; but my old distemper the ague has confined me to my chamber for a fortnight past; so that I know nothing of what passes in ye Grand Monde. They tell me, Sr Robert Walpool is very much mortified, to find, at his comeing to town, that Lord Townshend is in so very bad a way. The Physitians are not agreed in the nature of his distemper; but most of them are of opinion, that his life is in great danger, and Freind only seems to be of a contrary sentiment. The town take the liberty to name severall persons as his successor, according to the severall inclinations of the polititians. Some say Methuen, others Horace Walpool, Ld Carteret, and Ambassador Stanhope. I hope they will all be disappointed; but believe, if the vacancy happens, Methuen may have it if he pleases. Stanhope was with me two days agoe, and says, the difficultys that hindred the meeting of the congress are in a fair way of being removed, and he expects his instructions very soon for proceeding to Cambray. I hope my Governor has discharged his commission, and wrote you a budget of news. I am told, that Orders are actually sent to recall Dormer, and that the Marquis of Montendre will be sent to Lisbon in his place. I hope you continue in the good state of health I left you in, and hope to meet you at St Stephen's Chappell after Christmas.

I am, Dr Duncan, ever your's,
GEORGE WADE.

I spoke

I spoke to the D. of Newcastle concerning your examining the two state prisoners now in the Castle. He told me, he would send you an order to doe it; but I fear he has either changed his mind, or forgot it.

No. CCCLXXXV.

The Lord Advocate to the Laird of Culloden.

Dear Brother, London, 19th Aprill 1728.

I AM just now going out to the Duke of Argyll's, to enjoy a few days the recess that the Easter holidays give us; and that I may not miss to-morrow's post, I write this note to-day.

The chief intent of it is, to complain of you, for not letting me know that you was ill; when most people here, who belong to our country, assert that they have Letters saying that you was very much out of order. You know I have courage to bear the worst news tollerably; but it pains me to think that you can hide any ailment from me, and that I should possibly be merry when you are pining. This, dear Brother, is easily mended. Letting one know when one is touched with a slight indisposition eases the mind, because it prevents suspicions & fears; whereas permitting the same news to be heard from other hands awakens apprehensions. Sir Robert Walpole has taken advantage of the recess, which is to endure till Monday se'nnight, to go down to Norfolk. The King goes down next Tuesday to Newmarket, and to visite Cambridge. We have no tidings of consequence.

I am, your's, &c.

No. CCCLXXXVI.

Mr Hamilton to the Lord Advocate.

My Lord,

AS the friendship you have shewed me in several instances occasions you this trouble, so I hope your goodness will at this time excuse it.

It is generally believed here, that our Attorney and Soll[r] Generalls will in a very few days be advanced; the first, to be L[d] Chief Justice, with a considerable encrease of the sallary of that office, and be created a Peer; the other, to be Lord Chancellor, and be also created a Peer. The Attorney to have the Peerage first; occasioned partly (as it's said) by a generous declaration of his, that he would receive no pension from the crown, but such a sallary as his successors in office should for ever after be entitled to.

It is alwise usual, upon the coming in of a new Chancellor, for him to appoint about fifty or sixty gentlemen, some of them counsel and some of them sollicitors, to be commissioners in matters of bankruptcy; which is not only an advantage to each of them of near one hundred pounds p[r] ann. but is also an introduction and increase to their business in other respects.

The favour therefore I would humbly beg of your Lordship is, to let me have a Letter from you to Mr Talbot (the Chancellor that is to be); wherein you will be so good as to recommend me to his favour, to be one of such Commissioners of bankruptcy, or in any other station he should think proper. I have no reason to doubt, but such a recommendation from your Lordship, with some others I shall be able to procure,

cure, will, together with Mr Talbot's knowledge of me, be sufficient to procure me success. To prevent your letter being either too early for congratulating, or too late to be of use to me, I beg you'll please to send it under cover for me to deliver at a proper juncture; for my success may in a great measure depend on that. It is generally believed, the sealls will be delivered to Mr Talbot abt the 5th of next month; so that I must beg your Lordship's letter by the return of the post. Please to believe I am,

My Lord,

Your most obedt and most humble Servant,

M. HAMILTON.

Lincoln's Inn Fields,
20th Oct. 1733.

My Brother offers his most humble service to you.

No. CCCLXXXVII.

The Lord Advocate's Letter to Mr Talbot.

Dear Sir,

IT is with the greatest pleasure I learn from Mr Hamilton, who will deliver you this, that you are speedily to quit the station wherein for some years I had the happiness of your acquaintance, to fill another wherein you are to make the whole nation happy.

By the change, I may lose the familiarity of conversation I enjoyed; I hope I shall not lose your friendship; and I am sure no change of fortune can make you lose in me a very sincere humble Servant.

What brings you this trouble is an opinion of Mr Hamilton's, that I have some interest with you. He is desirous to be appointed by you one of the Commissioners in matters of Bankruptcy; and believes that my intercession for him may add some weight to his own merit. If you did not know him personally, I should trouble you with his character; but as he has had the honour often to have waited on you, I need say nothing on that subject; but content myself with recommending him to your favor as a friend of mine, to whom a good office done will very much oblige,

Dear Sir,

Your most faithfull & most obedient humble Sert.

No. CCCLXXXVIII.

Mr. William Grant to the Lord President.

My Lord,

The last time I had the honour to see your lop at your own house, you was so good as to promise me some private advice, which I was resolved to claim as soon as your leisure shou'd permit; and the rather, that I had no conjecture touching the subject of it, but I was sure it must be well worth my hearing.

Since that time, the incidents of Friday & Saturday last, in the case of Brechin, have probably given your lop more to say to me, & have given me a fresh occasion to wish for an audience, which I rather choose than any message; tho' Lo. Elches told me, he had a kind one from your lop to be deliver'd to me.

I am one of the sincere admirers of your lop's virtues, proud of the kindness you are pleased to express towards me, & ambitious to deserve it; &, that I may do this, ready

to

to receive any advice or admonition from your lop with the utmost submission, thankfulness, & docility. I desire opportunity both to hearken, & to get audience of my apology, where I any have; and the errors of which I am convinced, I will confess, & strive to amend.

As to the Brechin affair, suffer me to anticipate, so far as to say a little before I hear the grounds of my charge.

Against a 2d diligence craved by petition, & that intimated on purpose that the respondent might show cause viva voce, I was entitled to be heard.

I intended to have set forth briefly the very matters in the petition from my side, signed by three of us, only to show that we all thought the matter thereof pertinent & competent to be urged:—of the merits you were to judge.

On the 27th, I was not heard out; & once & again moved, or pressed, that I might be heard. So far I apprehended I was using my right, & that of the subject, to be heard out, at an occasion when to be at all heard was surely competent. This, I thought, the meanest or youngest of my brethren might crave or insist for. I do not know or remember that I did more than this, or used any improper terms. If I did, I apprehend it to be so contrary to my temper & practice, that I should hardly forgive myself for being so indecent, or undutiful towards the Court; but if there was nothing of this sort, is it not pardonable in any man at the bar to be upon occasion somewhat earnest for audience in it? My spirit, God knows, is none of the most keen or violent; nor am I conscious, that it is incident to me to be often or much heated; and whenever I am at all warmed, it is excited by nothing but the apprehension of some wrong done, or a doing. I may surely be much mistaken, & doubtless often am so; as every counsel has a side, or a party, which naturally & almost necessarily gives some bias to his judgment. But sometimes mistakes will fall out in the most knowing & upright judges, who are but men; and what must the bar become if some scope be not allowed, even to genius, & at all times a just liberty, & a calm & patient audience till the thing be understood, & providing we do not trespass by prolixity or repetition. But I fear I am now trespassing one of these ways, & writing too much for a letter, which was intended singly to beg the favour of your lop's sending me word when you will have a leisure hour to be attended by,

My Lord,

Your Lop's most humble & most obedt servant,

WILLIAM GRANT.

Edr Feby 3d 1741.

No. CCCLXXXIX.

General Wade to the Lord President.

[No Date; but seems to have been about the latter end of 1742.]

My dear Lord President,

ALTHOUGH I have not been so successfull in obeying your commands as I could wish, I can with sincerity assure you, that had what you desired been in my power to have obtained, I should have had more pleasure in serving or oblidging you, than any man who inhabits between London and John of Grott's. When George Ross delivered me your oblidging letter, he imparted to me the state of the agreement between his friend Gordon and Capt Price, without entering into particulars; & I was in hopes this had been so secretly managed, as not to be known to the Master Generall; but when I waited on his Grace this morning, I found he had been apprised of the agreement

agreement between them from the time he first entered upon his office; & told me, he had been often solicited both by Gordon's & Price's friends, whom he had absolutely refused: that, as there was an express paragraph in his instructions against the buying or selling any offices or employments in the Ordnance, he would never give his consent to establish a president so pernicious to the service, and directly repugnant to his Majesty's orders; and as I had nothing to alledge on the other side of the question, I was fors'd to give up the cause: however, if it happens at any time that I can be of service to him, it will be a sufficient inducement to me, when I remember he was recommended by my good friend Culloden; for whose former civilitys, & present kind remembrance, I shall ever retain the utmost sence of gratitude & respect.——As to Caulfield's affair, I can hardly think of it with patience: I had obtained the Royal Consent, & the commission was drawn & at the closet door in order to be sign'd; when a malicious gent^{n}, to put a stop to it for the present, positively asserted, that the Lt Govr was not dead. This I had heard, but took no notice of it, since I knew the next post would clear up that matter; but fresh objections was raised every day, & the nation raised, to support the most malicious & ill-natured act ever was done by one gentleman to another; & was very near determining me to turn country gentleman; which when it was apprehended, to palliate matters, I had my new employment given me, without asking. The Lt Governm^{t} is not yet given to any body, & the commission remains unsign'd in the Secretary's bagg. There are some other circumstances not proper to be committed to writing.

Matters have a very good aspect both in Germany & Italy. The army of Malebois is to be at Neuremberg the last of this month, O. S.: & then they have 15 days march to Prague; & nobody imagines they can hold out near so long. I wish this prosperity don't elevate us too much, & draw us into a warr with France. But let the world goe as it will, I shall ever remain, d^{r} Sir,

Your most faithfull & obedient hum^{ble} serv^{t}

GEORGE WADE.

No. CCCXC.

The Lord President to General Clayton.

[About the end of 1742.]

Dear Sir,

WHEN I first heard of the orders given to the Highland regiment to march southwards, it gave me no sort of concern, because I supposed the intention was only to see them; but as I have lately been assured, that they are destined for forreign service, I cannot dissemble my uneasiness at a resolution that may, in my apprehension, be attended with very bad conseqtuences; nor can I prevaill with myself not to communicate to you my thoughts on this subject, however late they may come; because, if what I am to suggest has not been already under consideration, it's possible the resolution may be departed from; and if those, who see clearer & farther into such matters than I in my situation possibly can, are not moved with the apprehensions that alarm me, and shall think proper to persist in the measure, their doing so with their eyes open will go far to remove my fears; and I am confident the liberty I am now takeing, pretty much out of my sphere, cannot be misconstrued to proceed from any oy^{r} cause than my unalterable regard for his Majestie & the peace of his kingdoms.

What

What moves me is, not the many disorders & depredations that naturally will ensue, upon the removeall of that regiment, in the northern parts of this countrey; those consequences are too obvious not to have been thought of; and I dare say (as the strongest equity requires) measures have been devised, & will be pursued, fit to prevent that evill; but my apprehensions are of ane oỹr & a much higher nature; and to explain myself you must permit me to go a little out of my depth, and to talk like a politician. If I am mistaken, & my supposalls have no foundation in truth or probability, I shall be very glad of it; and in writeing thus, I shall have done no more harm than to shew my ignorance & my zeal.

I suppose, then, that the generous efforts his Majestie is makeing to preserve the libertys of Europe will provoke the invader of those libertys, and may produce a war with the Crown of France; and I suppose in the next place, in case such a war happen, France may espouse the interest of the Pretender, and attempt, if not seriously to sett him on the throne, at least to make a very important diversion, at the expence of risquing a very few battalions. If there is no probability of such a rupture, or no danger that in such an event France may think of playing the game I have mentioned, what follows is useless; and you may throw aside this letter without reading any more of it; but then if there is any liklyhood that France may enterprize what I dread, to me it wou'd seem in common prudence highly necessary not to facilitate that enterprize; but, on the contrary, to do every thing that might render it dificult, or rather impracticable.

I take it for granted, that if there is any liklyhood of a rupture, due care is and will be taken of England, by keeping such a body of troops in readiness as must be superior to any force that can be landed there; which will prevent the attempt; as the sending over a small body wou'd be, in effect, sending them to certain destruction; since there cou'd be no hopes of their being joyned by any force in England to support them. But I beg that you may consider, whether the case is the same in Scotland; and if it is not, what is then fittest to be done? The case of Scotland, so far as I understand it, is, that Jacobitism is at a very low pass, compared with what it was 30 years ago; that the Pretender is very much out of men's thoughts; that his antient adherents, who suffered for him, and who find themselves now tollerably at their ease, will consider well before they risque a second time; and that, in all appearance, upon his own bottom he never will be able to cause the least disturbance in this countrey. But tho' this is (I verily believe) the case, yet I will not be so sanguine as to say, that the fire is totally extinguished; that there is none of it lurking under the embers, or even that what lurks may not possibly be blown up into a flame, if France, besides *words*, which she has always ready, will give some *money*, and the countenance of force; I say, the countenance of force, because I fear a small one, seconded with money & promises, might spirit up unthinking people, who cannot perfectly judge what force may be sufficient to secure the execution of the design.

If I am in the right in what I have suggested, put the case, that France, in alliance with the Pretender, shou'd, by his missionaries, back promises with money, and treat for ane insurrection upon their actual landing of troops; and suppose, that, as she has of late been sparing of neither money nor troops, she shou'd fling half a dozen or half a score of battalions into the Highlands, *a fond perdue*, and that these shou'd be joyned by 3 or 4,000 banditti; what sort of confusion must that make on the island; what diversion to his Majestie's troops, what interruption to his designs! The enterprise, I verily believe, wou'd at last be baffled, and the invaders wou'd be lost to France; but still ane infinite deal of mischeiff wou'd be wrought, at a small expence to that Crown;

and this is what distinguishes ane attempt in the Highlands of Scotland, from one in any place to the southward, In the last, the invaders wou'd be swallowed up in a moment, if they did not come in numbers more than can well be conveyed at once without discovery; in the first case, a small number wou'd suffice to raise, with those that might be brought to join them, a lasting & a very dangerous confusion.

Having thus stated to you the danger I dread, I must, in the next place, put you in mind, that the present system for securing the peace of the Highlands, which is the best I ever heard of, is by regular troops stationed from Inverness to Fort William, alongst the chain of lakes which in a manner divydes the Highlands, to command the obedience of the inhabitants of both sides, and by a body of disciplined Highlanders, wearing the dress & speaking the language of the countrey, to execute such orders as require expedition, and for which neither the dress nor the manner of the other troops are proper. These Highlanders, now regimented, were at first independent companys; and tho' their dress, language, & manners, qualyfied them for secureing the low countrey against depredations, yet that was not the sole use of them; the same qualitys fitted them for every expedition that required secrecy & dispatch; they served for all purposes of hussars, or light horse, in a country where mountains & bogs render cavalry useless; and if properly disposed over the Highlands, nothing that was commonly reported & believed by the Highlanders cou'd be a secret to their commanders, because of their intimacy with the people, and the sameness of the language.

Now, Sir, lett me suppose, that France was to attempt ane insurrection in the Highlands, which must be prepared by emissarys sent to cajole, to cabale, to promise, to pay, to concert, &c. and by arms & ammunition imported & dispersed; and lett me suppose this Highland regiment properly disposed, and properly commanded, is it not obvious, that the operations of such emisarys must be discovered, if not transacted with the outmost secrecy; that the Highlanders who suffered themselves to be tampered with by them, must do so under the strongest apprehensions of being taken by the neck by detachments of that regiment, if their treason were heard of; and that, of course, they must be shy of meeting or transacting with the agent of the Pretender, or of caballing, mustering their followers, or receiveing or distributeing arms.

Now, on the other hand, lett me suppose the same attempt to be made, and the Highland regiment in Flanders; lett me beg to know, what chance cou'd you have of discovering or preventing the effect of any tampering in the Highlands. Cou'd any officer, or other person trusted by the Government, go through the mountains with ane intention to discover such intrigues with safety? Wou'd the Pretender's emissarys, or the Highlanders who might favour them, be in any apprehension from the regular troops? Cou'd you propose, with any probability of success, to seize arms or attainted persons? Nay, suppose the Government had direct intelligence of the projects carried on, where, and by whom, cou'd they hope to surprise, or lay hold of, any one person? Those questions, I dare say, you can easily answer, and, with me, can see, that if France shou'd stumble upon such a design as I have been supposing,—remove but that regiment, and there is nothing to hinder the Agents of that Crown to have their full swing, and to tamper with the poor unthinking people of the Highlands, with as great safety as if there were no Government at all in the Island. I will say more; I doubt not but in many places of that country, if the people could be prevailed with to rebel, they might receive arms, & be in some sort disciplined, for many weeks before the Government cou'd have certain notice of it.

As, therefore, I think removeing the regiment I speak of, is removing one of the principall obstructions to the mischieff I dread the most, on the supposall of ane

open

open rupture with France, I have taken the liberty of bringing my thoughts on that subject together, & laying them before you, to the end you may make such use of them, as to you shall seem most proper. If you think of this matter as I do, and find it necessary, you may mention it to the King as a suggestion of mine; he may find fault with my timidity, or want of judgment in things of this nature; but he will remember so much of me as to believe, that the hint I presume to give proceeds from duty to him, & from that only.

I wish you may be able to read my wretched hand writeing; but the subject wou'd not permit me to make use of any other. My service to the Major.

I am, &c.

No. CCCXCI.

From the Lord President to the Lord Lyon.

My Lord Lyon,

THE last post brought me your's of the 24th, complaining of the remissness of our countrymen in making the necessary aplication, for obtaining relief from the masterfull depredations that destroy the neighbourhood of the Highlands. I am heartily sorry to hear it, and unwilling to belive that a man of honour, who was so zealous, and for so good reasons, last harvest, to have this mischief obviated, as the Earle of Murray was, can slacken in his aplication when the evil to be prevented is growing daylie more dangerous. I am hopefull his Lop's deferring is rather the effect of judgment, as thinking it more adviseable to wait till the hurry which attended the first part of the Session was over, than to importune Ministers, overloaded, with what they wou'd be apt to think a trifle, compared with their other much more interfeering affairs. But then, though much depends on the timeing properly an application, I hope his Lop, and all of you, will consider, that you may sett your time, and that unless your project is prepared and agreed to before shutting up the Committee of Supply, if it must be supported by public money, it cannot take place untill ane other Session.

As to what you mention touching the disarming Act, without entering into the question how far it was expedient to have enacted that law at the time, I believe no one will think this a fitt season for repeating it; and I am confident, that to the effect of it is owing, in a great measure, the disorder we now so sensibly feel. Had the host of thieves who now plunder us been thorrowly disarmed, and keeped from the use of arms since the date of the first act, we shou'd have had no complaints at present; or if that act hade never past, and if the Highlanders adjacent to the thieveing countrys hade remained armed as formerly, those robbers durst never have ventured to prey upon them, and must even make their inroads on the lowest countries with much more precaution; but at present, as the banditti are armed, whilst their neighbours are disarmed, they roam about in troops in broad day-light, without any aprehension from the country which is disarmed, or from the troops who cannot follow so as to come up with them. This, my Lord Lyon, is manifestly the case; and this is what creates the most just of all demands upon the publick; because if the Government have taken away from the people their defence, by disarming them, they that moment become debitors to the people for protection, and ought in justice to afford it, whatever it may cost. But, besides this consideration from justice, there is ane other from policy, that one should think must weigh, especialy at this juncture;

and that is, the danger of permitting a gang of ruffians disaffected, if any in the whole Highlands are so, to his Majesty, to range and lord it over the whole country without any restraint. If any enemy to our happy establishment were now to attempt to seduce the inhabitants of the mountains into treasonable measures, what could prevent their tampering at least? How could any orders from the Government be executed amongst the hills? and who can answer at this day whether there are, or are not, emissaries from beyond seas trying to corrupt the minds of those poor Highlanders who not long agoe were favourable to them? For my owen part, I never think on this subject without concern; and I am satisfied, that if our great men saw this matter in the same light with me, they would not be at rest one moment untill they hade a force in the Highlands of Scotland sufficient to keep those banditti, and all other low people, in order, sufficient to execute the King's lawfull commands in that country, as sufficient to prevent the easy access of the emissarys of the King's enemys to unthinking people, who do not look upon themselves to be favourites to the Government; at least, doe not feel, so much as they with reason might expect, the fruits of its protection.

These preferences, with many more of the same kind, which will naturally occur, cannot faill, when laid before our great men, to rouse their attention, and produce the desired effect. I should gladly, for my own part, contribute every thing in my power towards the design; but, as I am left out of the play, I doubt it would not be thought any part of my province to meddle in such matters, or to give any advice before it is asked. If the application to be made by all of you, which will be concurred with by the Duke of Atholl, who by this time is with you, have the effect to move any of the Ministers to call for my poor opinion, they shall have it readily; in the mean time, I hope no time will be lost in making the application: the further delay of a very few days may render the whole design impracticable. It will cost you, I doubt, some trouble to read this scrawl; but you know I never was a good scribe.

I am yours, &c.

Stoney Hill, 31 Decr 1743.

No. CCCXCII.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 1st Feby 1743-4.

YOUR Lordship's zeal and affection for his Majesty, and your extended interest and acquaintance in the Highlands, make it necessary to give your Lordship the present trouble. We have certain intelligence, that a squadron of 20 ships of war sailed from Brest on the 26th Jan^{y}, and were seen last Saturday morning steering Northwards. There are no certain accounts of any troops being on board; but it is said they have 15,000 musq^{ts} with them; and as we know that the Pretender's Son left Rome some time ago, and landed at Antibes the 11th of Jan^{y}, there is reason to suspect an attempt may be intended to be made on some part of Britain. I have wrote to the Justice Clerk, the Solicitor, & General Guest; since it is necessary that his Majesty's servants should, on this occasion, be duely informed of what particulars are come to our knowledge here.

I am, with great truth and esteem,
My Lord,
Your Lordship's most obedient and most humble Servant,

Lord President. TWEEDDALE.

No. CCCXCIII.

The Lord President to the Marquis of Tweeddale.

My Lord, Edin^r, 5th Feb. 1744.

THIS morning I had your Lordship's of the 1st by express. You judge exceedingly right of my affection to his Majesty's person and government, but too favourably of my abilities to be of service to him in the Highlands. At the same time, whatever is within my abilities he has very good reason to depend on, because it is my inclination as well as it is my duty.

I am very hopefull the destination of the French fleet will not be found to be for Scotland. I shall be greatly deceived if ane attempt of that nature meet with any encouragement from the Highlanders. Their turn, a very few months ago, I am very confident, was very adversary to views of this nature; and tho' for some time I have been out of the way of conversing with them, or having their sentiments, yet I cannot suffer myself to believe that they can have been so far debauched as to give encouragement to any invader that did not bring alongst with him force sufficient to make the party equal. Besides, the season of the year does not leave it possible for a debarkation made amongst them to make any progress, or for them to subsist in bodies amongst the mountains; and a small number of foreign regular troops landed in the low country, though in their neighbourhood, must fall a sacrifice before they in all human probability could be reinforced. However, as your Lop has thought the intelligence worth communicating, I have wrote to a friend of mine in the neighbourhood of the Highlands to examine; á person whom I confide in, and who I am sure will let me know what he has observed; and if I learn any thing by this inquiry, I shall do myself the honour to let your Lop know it by Mr Solicitor Genl, who gives himself the trouble to dispatch my letter to the North Country by express. May I beg (as you see this letter is wrote in haste) to put your Lop in mind of a letter which I wrote above twelve months ago to Genl Clayton *, and which he sent to your Lop, about the Highland Regiments; and to ask you whether you are not now convinced that the reflections therein made were just, and whether the King's service does not absolutely require (to say nothing of the doubtful subjects) that a force of that kind should remain established in the Highlands? Your Lordship, I know, will forgive the imperfection of this scrawl, and believe me to be, with perfect esteem,

My Lord, your's,

The Marquis of Tweeddale. D. F.

No. CCCXCIV.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 15 Feb^ry 1743-4.

I HAD the favour of your Lordship's of the 5th, which I took the first opportunity of laying before his Majesty; who has commanded me to signify to you, that he is very sensible of your zeal and affection for his person and government; and to desire, that you will, from time to time, communicate any intelligence you shall receive that you think for his service.

This day the King sent a Message to both Houses of Parliament, of which I send you a copy, together with the Address thereupon.

I am, with great truth and respect, My Lord,

Your Lordship's most humble Servant,

TWEEDDALE.

* See No. CCCXC.

No. CCCXCV.

The Lord President to the Marquis of Tweeddale.

My Lord,

I AM very glad that the various enquiries and observations I have made since you first acquainted me with the advices his Majesty had of the impudent undertaking of France, have not hitherto furnished me any thing worth troubling your Lordship with. All the accounts I have from the Highlands agree, that there is no appearance of stirring there, nor any such caballing as used formerly to be, upon the least rumour of any attempt from abroad; and it falls within my own observation, as well as within that of all those whom I converse with here, that those who formerly were counted very zealous Jacobites (and, I am afraid, wish that way still) shew not in their countenance or conversation the least symptom of expectation, from what is now going forwards; which is a behaviour so very different from that of former times, that it disposes me to believe they really know nothing; and yet this is perfectly consistent with the reality of the undertaking of France; since preparing a Party here before-hand might have contributed to a discovery, which would have prevented the intended surprise; and France may have depended on the zeal of the Jacobites for an immediate insurrection so soon as any considerable force from abroad appeared. To give an opinion whether this expectation is well or ill-founded, is a matter of some delicacy; as it would be of very dangerous consequence to neglect to provide against what France may expect, whatever Government's opinion may be of the probability of that expectation. But I must confess to your Lordship, it is my poor opinion, that France will be in a great measure disappointed if this is her expectation; for the condition of the Highlands of Scotland is at present very different from what it was when the last great push was made for the Pretender. At that time, the Clans, who for some years had been listed by the Queen's ministry in Scotland for the service of the Pretender, were by much the majority of the Highlands; in so much, that it was dangerous for any of their neighbours who were well affected to the Protestant succession to shew their zeal, and seemed safe for the disaffected to risque a Rebellion; as their numbers presented hopes of impunity, and the difficult access to their country made it unlikely that regular forces would reach them to put forfeiting laws in execution; besides that, many noble families who had large dependences in the low country, but are now extinguished, were to be sharers of the same fate; whereas at present, not to mention the extinction of those families, with their influence, in the low country, the many lucky accidents that have brought over several noble and very considerable families in the Highlands, if not from an adversary, at least from a very dubious state, have left those who may be supposed inclined to the Pretender the minority of the Highlanders; in so much, that laying treason and the regal authority out of the question, if a private feud were to be determined by force, as frequently heretofore has been the case, between the clans and families that at this day profess duty and zeal for his Majesty, and those that are suspected of favouring the Pretender, the odds would be greatly against those who are supposed to favour confusion; for this reason, besides that in my apprehension several of the families supposed disaffected, that have had no immediate favours from the Crown, have severely smarted under the folly of their ancestors, and have been sensible of the indulgence of the present clement Government; I fairly confess I think, and the opinion gives me much satisfaction, that his Majesty is not to expect any unnatural disturbance from this corner of the country, unless a superior force appear, and unless there

there is an unreasonable remissness in those who espouse his Majesty's interest in exerting themselves; which I cannot so much as suspect will be the case.

Yesterday I had the honour to see the Duke of Gordon, who told me he had heard from your Lordship, and that when the business that brought him hither was over, or sooner if the King's occasions required it, he would (departing from his purpose when he left home) return to his country, and exert the utmost of his power, if the malice of the King's enemies gave him occasion, to maintain his rights and the peace of the country. Your Lordship will readily believe I commended his purpose; but you will also bear with me when I tell you, that I am a little surprised that this young Lord's unexpected and fixed determination to serve his Majesty, is not distinguished in another manner than it seems to be. The influence of that family, whilst Popish and disaffected, was smartly felt. It is now happily otherwise; and the young Duke has rather courted occasions to shew his zeal for his Majesty. Nevertheless, and though his genius disposes him for the army, he has had no mark of his Majesty's favour, that should make him approve of the step he has taken, or dispose him to risque every thing in defence of the just sentiments he has entered into; neither is he enabled, by any encouragement given him, to invite other people, who are generally guided by expectation, to follow his example, or to depend on him. This (if it is not wrong) I am sure your Lordship will think is unfortunate, and that it ought as soon as possible to be set to rights. It is of infinite consequence to the strength of the United Kingdom, as well as to the security of his Majesty's Government, that the enemies to both should have no expectation from assistance in the Highlands of this part of the island; and I am confident, cherishing the good dispositions that now are, will banish with a little time all apprehensions.

I am not certain, that by entering into an argument of this kind I do not go somewhat beyond my line; but if I do, the King knows my presumption on former occasions has led me to do so with himself; and therefore I am confident he, should he hear of it, will forgive me. And as my hand is in, I will venture to say more, by way of asking a question or two. What can the Duke of Gordon, who is not so much as a Lord or Deputy Lieu^{t} in the county where his Highland force is, legally do? What influence can he have on the side of the Crown, when he cannot put arms in the hands of his vassals (now disarmed)? And what should hinder the putting him in the way of following his natural bias, by giving him a regiment when there are so many in being, and an authority such as we this day see for levying more.

My Lord, if the zeal which this letter shews for his Majesty's service make not my excuse, I will offer none. Your Lordship may make what use of it you think fit.

I am, with perfect esteem,
Your Lordship's most faithful
and most obed^{t} humble servant,
DUN. FORBES.

Stoniehill,
1st March 1744.

P. S. Tho' the consideration with which I have hitherto troubled your Lordship is uppermost, yet I must confess I cannot be quiet untill I hear somewhat from your Lop about the project concerning our revenues on which our manufactures depend.

No. CCCXCVI.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 20th March 1743-4.

I HAVE been favoured with your Lordship's of the first current; the receipt of which I would have acknowledged sooner, but took it for granted that the contents of the Letters I have lately wrote to the Justice Clerk & Solicitor were communicated to your Lordship.

I had the honour to read to His Majesty your Lordship's Letter; who was very well pleased with the account you gave of the present state of the Highlands, and which I had the satisfaction to find was perfectly agreeable to what I had before represented to the King as my own opinion.

As to what you mention about the Duke of Gordon, I entirely agree with you; and my endeavours shall not be wanting to procure him soon some mark of His Majesty's favor; tho' some of the things your Lordship points at are not so easily to be accomplished as possibly is imagined.

No courier is yet arrived from Admiral Matthews. The French still continue the embargo at Dunkirk; and give out, that, notwithstanding of their late losses and disappointments, they are resolved to make a second and a more vigorous attempt; but since the Dutch troops are landed, I rather believe that they will think no more of this, whatever they may think proper to attempt elsewhere.

I have transmitted to Scotland by this post the Warrant from the Treasury to the Barons of Exchequer for paying the sum of £2,770 : 4 : 3½, the surplus of the malt duty to Midsummer 1738, to the trustees of the fisheries and manufactures; which I hope will be of more real service for their encouragement, than some schemes that have been lately pushed with more zeal than knowledge.

I am, with great truth and regard,
My Lord,
Your Lordship's most obedient humble servant,
TWEEDDALE.

No. CCCXCVII.

The Lord President to the Marquis of Tweeddale.

My Lord, 31st March 1744.

I OUGHT sooner to have acknowledged the receit of your Lop's of the 20th inst; and to have returned you thanks, in the name of this poor country as well as in my own, for the trouble you have taken in procuring the Warr for the surplus of the malt; a favour which I looked upon as not very easy to be obtained, and which comes exceeding seasonably, because, without it, I do not know what we should have done. But I cannot omit putting your Lop in mind of what you already full well know, that this remedy is palliating only; it saves us from destruction one year, and unless the evil—I mean the disease—that affects the revenue is removed, we shall be the next year just where we were the last—and I do this the rather, that the care your Lop has already taken of the manufactures, is to me an earnest that you will leave nothing untryed that may support them.

I am

I am glad the opinion I presumed to give, of the present situation and disposition of the Highlands, is agreeable to your Lop's, and has been confirmed by all the observations that I have hitherto been able to make on the behaviour of the persons most liable to suspicion, on acc[t] of their own former, and of their ancestors' sentiments; and I heartily wish, that as this critical juncture has brought the condition of that part of the country under consideration, it may be duly weighed, and proper measures may be fallen upon to improve the disposition that now is, so as to prevent future apprehensione. I am far from thinking this impossible; nay, I am sanguine enough to imagine, that the Highlanders, at a very small expence, may be brought not only to be harmless, but to be useful.

As the weather has remitted pretty much of its rigour, I think in a week or two to take a trip northward, whither my little affairs call me. If any thing worthy of your Lop's notice occur, you shall hear from me; or if your Lop has any commands for that part of the world, I shall receive them with pleasure.

I am, with perfect esteem,

Stoneyhill, 31 March 1744. } M. L. Y[r] Lop's M. O. & M. h. S.

No. CCCXCVIII.

Sir John Cope to the Lord President.

My Lord, Clarges Street, 16th Oct[r] 1744.

I HAVE the honour of your Lordship's letter of the 22[d] Sept[r]. The inactivity of the British troops in Flanders is universally believed to be owing to the contrivances of Duke d'Aremburg. A battle proposed, he was for a seige; a seige mentioned, he raised difficulties; and the opportunity lost, he was for a battle. I cannot doubt the truth of this, as it comes from every party (if parties there are) in our British army. M[r] Wade, Honeywood, and Campbell, are coming home. Ligonier commands during the winter; it is difficult to guess who will have that charge in the spring. M[r] Wade wore but in body and mind; Lord Orford having accepted a pension of £4,000 per annum this year causes great murmuring, which, and the inactivity of the last campaign, will make that at Westminster sufficiently active. The great men draw together for *mutual safety*. No other account of the battle in Italy but from France. We still hope Coni is safe. The King of Sardinia acts a noble and steady part; the first mail will probably bring us an account of a battle between the King of Prussia and Prince Charles; I really wish success to the latter for the good of the common cause. People begin to allow, that the King of Prussia has parts and spirit; his prudence not great in playing so deep a game. The Dutch go on as they did, and so do we, by sea and land. Balchen, in the Victory, supposed to be lost. I'll say nothing of the Mediterranean. Lord Harrington has charged me with his compliments and thanks to your Lordship for civility shewed me in Scotland; he is in universal esteem with mankind, well with both courts, consulted by all; and the moderate and blessed peace-maker, where temper is wanting, and ambition causes disagreements. Two Lord Presidents in this isle, without a precedent.

I think it likely that another attempt may be made in the spring, towards an alarm *at least*, which they may think will cause our sending for some troops home from Flanders; probably I shall see your Lordship sooner than I did last year. I have great reason to speak of Scotland with satisfaction and gratitude. And, from the civilities I met with, I

flatter myself that my behaviour hitherto has given no offence; it will be my study to conduct myself so as not to deserve an alteration to the kindness shewed me. If your Lordp has any commands for me, I shall take it as a favour to have an opportunity of paying, by degrees, that debt I owe of civilities, by my utmost endeavours for your service.

I am, with great respect and truth,
My Lord,
Your most obedient & obliged humble servant,
JNO. COPE.

No. CCCXCIX.

Sir John Cope to the Lord President.

My Lord, Edinbr 13th Augt 1745, at night.

I HAD last night a letter from the Duke of Argyll. I hope there is a sloop of 16 guns, and another of 12, by this time gone from Greenock to the northwest coast, to visit that one ship, if there is no more, or get true intelligence of what there is. As yet, the accts vary so much, we can't tell where the storm is most likely to break out first. I have reinforced Fort William by Inveraw's Compy, as well as others marching thither. The troops we can spare from this capital encamp this day at Perth & Stirling. Bread and biscuit will be very soon ready; we shall then be able to march at an hour's warning. I dare say, by the information I shall send to the Duke of Argyll, he will immediately repair hither, where I want advice and assistance extreamly. I am glad your Lordp is in the North, where your known military abilities, & great weight and influence over all mankind, will be of more public service than any other man; as I know. I hope the arms, &c. have got safe to Inverness, and that your Lordp will give directions for the employing of them as you see best for the King's service at this critical juncture. The intelligence received from Inverness yr Lordp is acquainted with; that from the northwest tallies pretty much with it; so that, upon the whole, we may conclude the design is deeply laid, and will be try'd. Whatever your Lordp approves of in your parts, I dare say the military persons there will make no dispute in complying with. I am ready to join the troops myself at an hour's warning; but wish much to see the Duke of Argyll before I set out, who I think by this time must be upon the road hither.

I hope you will be able to form a body from Lord Loudown's recruiters, which you will employ as the emergency requires.

I am, my Lord,
Your most obedt humble servt,
JNO. COPE.

P. S. Hearsay from Perth tells, that the Duke of Perth was seen Thursday last near Crief in disguise; & that Aberkarny is gone to the Isle of Sky.

No. CCCC.

The Lord President to the Duke of Gordon.

My Lord, Culloden, 14th August 1745.

YESTERDAY I arrived at this place from Edinr; & as my Lord Lyon, who came hither to-day, acquaints me, that you have had severall rumors stirring with you about the landing of the Pretender's eldest Son on the west coast, & that your Grace is justly

justly desirous to know what we in this country have learn'd on the subject, to the end you may take the most proper measures for the preservation of the peace of the country; I have presumed to send you this note, to let you know, from the various reports we have had, what to me appears the most probable.

'I take it to be certain, that 12 or 14 days ago, that young Gentleman landed on the coast of Arisaig, belonging to the Cap^tn of Clanranald, from ane armed vessel of war of 18 guns, with 20 or 30 or 40 persons along with him. Some reports make the number 300; but the most credible mention the number I first spoke of; & if there has been but one ship, which is commonly agreed to be the case, there could not well be any more. Amongst these, the Marquis of Tullibarden & Old Lochiel are said to be; & they publish, that they expect a further force to follow them; which again has not the most probable air; as, beginning in that corner, unless the country was universall to favour them, would seem to be beginning at the wrong end. Those persons have hitherto keept themselves very quiet; nor do I hear of any one who has join'd them. Sir Alex^r Mac Donald & Mac Leod, I am satisfy'd, will discourage any such phrensy; & I should hope that Glengary & Lochiel will not suffer themselves to be seduced, tho' the rumors over this country insinuate the contrary. I have some confidence in my old friend Glenbucket's prudence & temper, that, if he hear of the thing, he will give Glengary good advice, to prevent his certain destruction; & I doubt not he will be ready to take it. The allarm which this attempt has already given the Government, will occasion the immediate march of a body of troops into the Highlands. Two companys came to Blair the night I lay there, & these are to be follow'd by a considerable body of foot & drag^ns, at the head of which Sir John Cope will put himself if there shall be occasion. With this force, any insurrection that is likely to be attempted will probably be suppress'd, & the adventurers obliged to leave the country; but as it is made in the King's absence, probably with intent to divert the attention of the Government from the affairs on the Continent, & thereby to make some diversion in favours of the ambitious views of France, it would, in my apprehension, be of great service to the publick, & could not fail of being exceedingly well taken at present, if men of fortune & figure were to show their dislike to this attack (I may say) upon the libertys of Europe, as well as the libertys of this country, by putting themselves & their followers in such a posture as should leave no hopes of success to those rash adventurers. The Duke of Atholl has call'd the Gentlemen that depend on him together, & has directed them to have some hundred of men listed, & ready to act at ane hour's warning when required; and they have also directions to have the whole posse ready in case of need. How far your Grace may not think it improper to make some such disposition, I leave with yourself. This note my Lord Lyon has undertaken to forward to your Grace by express. If any thing furder arrive, worthy of your Grace's being acquainted with in heast, I shall have the honour to acquaint you with it in the same manner. I am, with hearty wishes, &c.

No. CCCCI.

The Lord President to Sir John Cope, K. B.

Dear Sir,

AFTER what I wrote to you from Airdmore, of the 12th at night, I should not have given you the trouble of another letter so soon, were it not for the note I had from Caulfield to-day by your orders, inclosing a copy of the Governor of Fort Williams's

letter of the 7th, which talks of the arrival of several transports with a number of troops on the west coast. It was his duty to give you notice of any intelligence that he believed to be true; & his advice possibly may be so. But it is my duty to acquaint you, that, tho' I have heard rumors of that kind, I could not meet with any reasonable authority for them; on the contrary, all the credible pieces of information I have been able to pick up from the neighbourhood of the coast, where these troops are supposed to be landed, of later date than the 7th, take no notice of any ship but one; or of any persons landing, but the few that came with that ship. Had there been any such second landing, it is far from being probable that it would not have made noise enough amongst the well-wishers of that cause in this neighbourhood; and I think I could not well have fail'd to be inform'd of it, by such as I have already sent for, & conversed with, who are not a few. But as what I can say on the subject amounts to little more than negative evidence, I dare not desire you to rely absolutely on it.

When the return of the expresses which I have dispatched shall come to hand, I shall be able to say with greater certainty. In the mean time, I thought it proper to let you know that our apprehensions are not such as they were at Fort William on the 7th. Tho' my present belief is, that there has been no second landing, yet I give ear to other reports, which say that there is reason to fear that several of the Macdonalds of Clanranald, & Glengarry, are convocating in arms; & that the Camerons are also assembling; & that between them they are endeavouring, by threats, to force their neighbours, the Grants of Glenmoristone & Urquart, to join them in arms. That Lochiell should play the madman in this manner surprises me; & I have still some faint hopes it is not true, tho' I have been by some well-wishers of his informed that he has absconded for some time, upon hearing that a warrant was out against him. I wish no such warrant had ever been granted. Yesterday my Lord Lyon, who came hither upon hearing the night before that I came home, acquainted me with the Duke of Gordon's great desire of knowing what truth was in the various reports that were flying about, to the end he might take the proper measures for showing his zeal for the Government; & I by express acquainted him with the attempt upon the western coast, together with your intended march with the troops, & the resolutions which the Duke of Athole had taken, which I hope his grace will follow.

This day the Lord Lovat came to dine with me. He said, he had heard with uneasiness the reports that were scattered abroad; but that he look'd on the attempt as very desperate; that tho' he thought himself but indifferently used lately, in taking his company from him, yet his wishes still being, as well as his interest led him, to support the present Royal Family; that he had lain absolutely still, & quiet, lest his stirring in any sort might have been misrepresented or misconstructed; & he said, his business with me was, to be advised what was proper to be done on this occasion. I approved greatly of his disposition, & advised him, untill the scene should open a little, to lay himself out to gain the most certain intelligence he could come at, which the situation of his clan will enable him to execute, & to prevent his kinsmen from being seduced by their mad neighbours; which he readily promised to do.

If what I have before mentioned is true, that the Highlanders who have joined the Adventurer from France are beginning to use threats to compel their neighbours to join them, it will naturally occur to you that the immediate presence of the troops is necessary. I am, Sir, &c.

DUN. FORBES.

Culloden, 15th Aug. 1745.

P. S. This moment I have an express from the Isle of Skye, from the person whose letter I shewed you the morning I left Edin^r. It is dated 11th ins^t; it takes notice of no second landing, & mentions only apprehensions that the Macdonalds of the family of Clanranald, & Glengarry, are in hazard of playing the fool, as I have already hinted. The bearer of that letter says, he heard nothing of any shipping or landing, except the first.

No. CCCCII.

The Lord President to Sir John Cope, K. B.

Dear Sir, Culloden, 17th August 1745.

THO' I have nothing worth troubling you with since my last, which was from hence the 15th at night; yet, as the post goes from Inverness this day, I drop you this note, that you may know I have not learned any thing with certainty since that time; except that Lord Fortrose has sent me a letter, which he had from Glenelg, dated the 12th; by which it appears, that there was no second debarkation, such as you heard of from Fort William.

Upon the rumor that those who had got together in arms were resolved to compell their neighbours, by threats and force, to join them; the Lord Lovat has dispatched orders to such of his kindred as are nearest to those that are said to be in arms, to put them on their guard against any such attempt.

You see, Sir, tho' I mention those precautions, I treat the thing, intended to be obviated, only as a rumor; because I have not hitherto had any certain information; the Messenger whom I dispatched to gain intelligence not having hitherto returned; and it is for that reason that I cannot at present, with any certainty, tell you what truth there is in another report, that the Highlanders, whom I mentioned in my last as assembling in arms, are, on Monday next the 19th, to meet their young chief on the west coast, near Arisaig; and there and then to set up his standard, as they call it. This report comes to me from several quarters; and tho' I cannot assert it to be true, yet I believe you will not think it improper to quicken your march, as if it were. The sloop is arrived, and the arms are lodged in the Castle. I wish some more may without loss of time be sent; since, without them, Gentlemen, however zealous, can do no more than talk for the Government, and not even that with confidence. I wish all the letters I have wrote to you, which are three in number before this, may have come safe to hand.

N. B. This and the two last went under cover to the D. of Athol.

No. CCCCIII.

M^r McPherson, of Cluny, to the Lord President.

My Lord,

I AM sorrie to acquaint your Lop that, much contrary to your expectation and inclination, it is now beyond all doubt, that the generality of the Highlanders to the west of us are in arms, and forming themselves into a body, betwixt Gleninven and the head of Lochiel; and I have this morning got intelligence, to crown all, that Keappoch, with his people, Thursday last intercepted three companies of the regular troops (I mean the three that march'd thorrow this country from the South lately) at Highbridge, who, as I am told, immediately on the Highlandsmen appearing on the Fort William

William side of the bridge, turn'd directly back, in order to make Fort Augustus, and were pursued by the rebells; and in their re-passing thorrow Achedroum, the Glengarrie men shew'd themselves in their way to Fort Augustus; who sent the troops message to surrender, which was refused, and at the same time the troops fir'd upon the Glengarrie men, as is said; who all this while kept at such a distance, that the fire did them no hurt, and the military continued in that way, till they were run out of ammunition. Upon which, the rebells fired upon them, and wounded one of their officers, and kill'd three of the private men; in consequence of which, the troops surrendered, and were carried prisoners to Achnicarry. This is all I have to say that is worth notice. We have had such deludges of rain here these few days past, and the rivers and small burns were so impetuous, that it greatly stopt our communication.

It is generally believed, that the Highland armie will come in a body, in, upon the braes of this country, tho' at the same time I have no good authority for this. I leave it to your Lop̃ to judge what condition this country will be in if that happens, as you may believe there are severall amongst them that are not quite well affected to us here, on account of their not being allow'd these two years past to run on in their ordinary practices.

I read your Lop̃'s letter to Killihuntly in his own absence; and it is certain that Glenbucket pass'd thorrow this country in his way to Glengarrie Wednesday last; he being seen and convers'd by severall of the countrymen in his march that day; and Peter Gordon, some time the Duke of Gordon's bailie and factor in this country, went along with him, and he is not yet return'd. He commonly acted here as Bailie Deput; but we have at this time neither principall or deput; which is of very great loss to us, especially just now when the troops are passing. Not a man by authority we have in Badenoch that can regulate carriages, &c.; so that your Lop̃ sees we are ill off in different respects. Breakachie is not yet returned, which makes me believe he did not find Lochiel at home; but upon his arrival shall inform your Lop̃ what further I am acquainted of.

I am, w^t great regard,
My Lord,
Your Lop̃'s most obliged & most obedient Servt,
J. M^cPHERSON.

Cluny, 18th August 1745.

P. S.—I have it just now confirm'd, that to-morrow is the day that the pretended King's standard is to be display'd, and he himself proclaimed, at Gleninven.

No. CCCCIV.

M^r McPherson to Sir John Cope, K.B.

AT my Lord President's desire, I have sent a Gentleman on a message to the Laird of Lochiel, with his and my serious friendly advice for making him withdraw from the Pretender's Son's partie, who now begins to be formidable pretty closs in this nighbourhood. All the answer I have is the inclos'd prints.

The reason, therefore, of my giveing your Excellency the trouble of this express is, to show you that all the information I have (and that from good authority) is, that

that this Gentleman (I mean the Pretender's Son) is this day in a place they call Gleninven, not far from Fort William; I believe w'in much less than a day's march of it; where he displays that which he calls the Royall Standard; that most of all the Highland Chieftains are there; that they propose forthwith to march southward, and burn and slay in all such countries as will not immediately join them. If the forces do not march towards them before they have time to become more formidable, it will goe very hard with such as lie in their way, and particularly with this country of Badenoch, against which the greatest threatenings are already.

All I have to say is, that I thought it incumbent on me to give your Excellency this information, of which you'll make the use you shall judge most proper for his Majestie's interest. I presume your Excellency has been already inform'd how a partie of about an hundred men of the King's forces, that were to reinforce the garrison of Fort William, were seized by a body of the Rebells on the sixteenth of this month, w^t^ the loss of three men of the forces, and one of the officers wounded.

I am, &c.

No. CCCCV.

M^r^ M^c^Pherson of Cluny to the Lord President.

My Lord,

BREAKACHIE is just now return'd, and the inclos'd prints is all the answer I have from my friend. As he's now dip'd far enough, I find the fate of the Gentleman that publishes these papers (be what it will) he resolves will be his. In the meantime, my Lord, I wish you wou'd take my case, and that of my poor country, to consideration. Probably this army, more or less as it is, will march immediately southward. This country, as you know, lies directly in their way; and if the Government does not forthwith protect us, they must either be burnt or join. I have this from undoubted authority, and there is no reason to doubt of it. At the same time I hear that the King's forces are to incamp at Stirling; that is a help far from us; and what to do, so as to save this poor country from immediate ruin, is a very great question to me. All on Spey side have a great chance of running the same risque in this country; tho' it's very certain we must be the first sufferers. But, be it as it will, I have nothing more for it, than to run this express for your advice; and at the same time to aske of you, that you may represent our situation to the Government, that they may fall on means for our preservation.

Our case being so very bad, I may say w'in a day's march (of the invaders) to ruin; for my part, I cannot pretend to give advice in ane affair of so very great moment; but I humblie beg leave to give my oppinion; which is, that the King's troops shou'd immediately march Northward, so as to intercept this body; which I take to be the only way not only to save a good part of the North from the impending danger, but to crush this invasion and conjunction, which promises to be pretty formidable if not prevented in the bud. My friend told Breakachie, that Sir Alex^r^ M^c^Donald and M^c^Leod will be at displaying of what they call the Royall Standard this day; and if so, that their men will join, will be depended upon. What this country, the rest of Spey side, or even more countries in this North of the kingdom, may do when force is at their doors, I leave your Lop to judge, as force has often made people to committ that which was no choice; but, to save them from a necessity that may be fatall, I heartily wish the Government did in time, for their own good and ours, look to our

and

and the common safety. In a word, it is hard to judge what burning, starving, and killing, may determine a defenceless people to do for their immediate safety. All this (and worse, if worse can be) is dayly threatened, in the event of not joining w'out compulsion. Our next nighbours, whom you'll find out w'out naming them, had, if I had not been in the country with the few of my company, brought all that lives here of such as they call their namesakes or followers w' them. But by my being at home, they are yet mostly disappointed, tho' a few fellows have stoll away. I have writt to Generall Cope, per express of this date, a coppie whereof your Lop has inclosed. I still am, with great truth and sincerety,

My Lord,
Your Lop's most obliged & most faithful Servant,
J° M'PHERSON.

Cluny, 19th August 1745,
6 in the afternoon.

No. CCCCVI.

The Lord President to Sir Alex' Macdonald.

My dear Knight, Culloden, 19th August 1745.

I HAVE your's of the 11th from Talisker *. As you know the affection I have for you and the Laird, you will not at all doubt that your conduct and resolution give me very great satisfaction. What you suspected of Lochiel is, I am afraid, too true. I have had no return of the message I caused to be sent him from Badenoch; and his people and Glengarry's have already begun the horse-play, by attacking, and, as is said, making prisoners, the two additional companies of Sinclair's that were marching from Fort Augustus to Fort William. The truth and particulars of this transaction you will know better from other hands in the course of the post, than I, who know nothing but by report, can inform you. This success, supposing it to be true, I am afraid will elevate too much, and be the occasion of farther folly. Two companies of the Royal made prisoners, sounds pretty well, and will surely be passed for a notable achievement; but when it is considered that these companies were not half compleat; that they were lads picked up last season in the Low Country, without any thing of the Royal but the name, and that their officers were raw, the achievement is not by any means so important. Lord Lovat was with me here last Thursday, and has by the bad weather been detained at Inverness till this day. He has declared to me his full purpose to be prudent and follow your example; and I verily believe him; but as he, doubtless, will write you by the bearer, I need say no more about him. Lord Seaforth was with me on Saturday; and he also declares, in very strong terms, his resolution to prevent the spreading of the infection as much as he can. Want of arms is the general complaint: 1000 stand are arrived at the castle of Inverness; and I suppose, on remonstrance made, more will soon be sent. The Duke of Gordon last Thursday set out from Gordon Castle for Edinburgh; I presume, to ask for directions and orders: this I learn from the Duchess, who is at home, and, upon hearing of my arrival here, acquainted me with it. I am also told, that Sir James Grant is to leave Strathspey this day, in his way to Edinburgh, and so to London; and the young Laird is to protect the country. I am heartily glad to hear of the wise

* Talisker, a place in Skye.

resolution

resolution of my friend Coll. The kindred will by his advice, I am confident, remain quiet; and will be apt to consider their Chief, now at London, as an hostage for their good behaviour. Of news from the South I can tell you little more than Willie Muir can inform you of: a regiment of foot lay encamped at Perth on Thursday.

The dragoons, with a small field train, were going about by Stirling; and Sir John Cope had set out from Edinburgh on Wednesday to lead them Northwards. If the post, which is expected to-day, fetches any thing to me worth your knowing, I shall send it in a note to the Laird; if not, he must be contented with this; since writing to one, is the same thing as writing to both of you. My compliments to Lady Margaret.

I am, my dear Knight,

Most faithfully your's,

DUNCAN FORBES.

No. CCCCVII.

Lord President to Sir John Cope.

Dear Sir, Culloden, August 20th 1745.

I HAVE the honour of your's of the 13th, and wait with impatience to hear from you. My last to you was on the 17th, by the Inverness post, whom I directed to be escorted through Drumnauchter by some of Clunie's people. The three former letters, I am confident, you have received. The officer of Fort Augustus has, doubtless, acquainted you with the report which we had from thence, and which is believed over all this country, that Sinclair's two additional companies were made prisoners in their way to Fort William, which puts me in pain for Inverraw and his company, lest they may have had the same fate. It is now past a doubt, that all the Highlanders whom I mentioned in mine of the 15th are in arms, attending their Chief in the Highlands. The most credible report I have heard is, what I wrote you in my last, that they were to assemble as yesterday upon the confines of Suinard, and march from thence towards Fort William. What success they are to expect there I cannot imagine; but as they now have drawn the sword, it is likely that they will fling away the scabbard, and that they will not be long idle. What their force may be I cannot tell. The force of the Clans that are said to have joined is above 2,000, if they are compleatly assembled; and from all the accounts I have had, I believe no other Chief has joined them; though it is possible they may have picked up here & there some zealous individuals, to what number one cannot guess. It is impossible with any certainty to conjecture what course they are next to steer. It must, however, be either towards you or towards this country; and if they go southward, their view must be to pick up some addition to their strength in Athol, Breadalbane, and the skirts of Argyleshire; and it will easily occur to yourself and to the Duke of Argyle, if he is with you, of what consequence it is to prevent that design; and I should think it no difficult matter for those noble Lords, supported by the troops, to effect it. If they come this way, their intent must be, by threats, to give countenance to the defection of some of the followers of those Chiefs who are disposed to support the Government. Should that be the case, Lord Lovat, Fortrose, and others, well disposed in this neighbourhood, will be under considerable difficulties, as their men are not armed; and after reserving what is sufficient to arm that part of the Earl of Loudon's regiment which is to be formed at Inverness, the remainder to be divided will make an inconsiderable figure; and the occasion for sending more arms here is obvious. Lord Fortrose was with me Saturday last; he has sent orders for all

his people on the main land to meet him, to act in defence of the Government. Lord Lovat, whom I saw yesterday, assures me he has done the like. I have dispatches from Sir Alexander Macdonald and Macleod, from the Isle of Skye, assuring me that they have effectually prevented the invaders from having the assistance of so much as one man from the estates depending upon them. In these circumstances, it is very unlucky that, for want of arms, and a proper authority, a handful of men should be able to lord it over the whole country, which I am afraid will be the case, should they direct their march this way. The recruits for Earl Loudon's regiment come in slowly; as they must come from distant regions. Should the Highlanders direct their march southward, Lord Loudon's men may be soon in condition to do some service, as they receive arms when they arrive; but should the rebells turn their whole force this way, Lord Loudon can do nothing but retire before them, as the town of Inverness is not defensible.

As numbers of loose Highlanders have infested the road from Badenoch to Athol, and have almost entirely blockaded up the road from Fort Augustus southwards, I have advised Captain Macpherson, of Clunie, to remain, with as many of his company as he has listed, in Badenoch, to keep, if possible, the communication with Blair open from those freebooters; and to escort the passengers and expresses that may be sent, as well as to gain intelligence. Last Friday morning the Duke of Gordon set out for Edinburgh; I presume, to receive directions; and I am told that Sir James Grant was to have set out yesterday for Edinburgh in his way to London, leaving his son, the young Laird of Grant, to take care of the country. It would have been good for the service that the Laird of Mackintosh had been in the country, could he have been spared from where he is. Whenever the gentlemen in arms draw nigher either to you or to us, the conveyance and intelligence will become the more difficult: perhaps even this may not reach you.

I am, &c.

DUN. FORBES.

No. CCCCVIII.

The Lord President to the Duke of Atholl.

Culloden, 20th August 1745, 4 o'clock afternoon.

THE Inverness post delivered me yesterday your Grace's of the 17th. I'me sorry I hear nothing of the troops being advanced further than Perth. Yesterday, our reports from all quarters say, a genll assembly of all the gentlemen in arms was to be held at Gleninven, near Lochiell. What their resolution has been, God knows. To the northward, Sir Alexr Mac Donald & Mac Leod have prevented any junction from their dependants. Lords Fortrose & Lovat declare, that they are to support the Government; & the young Laird of Grant (whose father is gone or going for London) speaks the same language; but should the Highlanders, who are compleatly arm'd, turn their force this way whilst we are unarm'd, I do not know what may happen; on the other hand, should they turn their face southward, I should hope there is, or soon will be such ane understanding between your Grace, the Duke of Argyle, & Lord Braidalbine, supported by the troops, as shall secure you from all apprehension. Which of us soever they approach, the communication will be pretty much intercepted, & the intelligence between cut off, unless your Grace give directions to have parties in Drumnactor

&

& Menigay, to clear the hill from loose fellows; as, on the other hand, I have directed Cluny to escort this, & to have some of his lads alongst the hill for the same purpose. Some watchword should be contrived between them. The inclosed to Sir John Cope your Grace will forward. I shall expect to hear from you by the messenger that carries this.

I am, &c.

No. CCCCIX.

The Lord President to Clunie.

Dear Sir, Culloden, 20 Aug^{t}, 4 o'clock afternoon.

I HAVE yours of the 18th by the Ins post, & am sensible your situation at present is difficult; as the hills must be fill'd with abundance of loose people. What you have to do, as it appears to me; is, to keep the best look out you can towards the Corryyarig, & the braes of the country, in which your country guide will be of use to you; & also towards Drumnacher & Menigay, that you may have intelligence & give notice what's a doing in your neighbourhood. I have acquainted Sir J. Cope that I have desired you to remain where you are with the men you have listed for the reg^{t}, in order to preserve, so far as is possible, the communication with Blair; to give guards for expresses, & to observe the motions of your neighbours. You will therefore forward with care the letter which I have sent to J. Mac Pherson for the D. of Atholl, incloseing one to Sir John Cope. You will direct the Messenger to be sent with it to go by Drumnachtor, Menigay, or Searsich, as you shall judge safest, & give him sufficient escort; because intercepting my letters may be of bad consequences. Should the unhappy gentlemen who are in arms march towards you in numbers that you cannot resist, your own discretion will direct you to retire before them, takeing alongst with you all the able bodied men, that you may make the best use of them you can upon occasion.

It is to be hoped that, howsoever zealous they may be, they will do no unnecessary mischief to the effects of their friends & relations that are left behind; & if they should, that will raise a just claim for making good of damages. I intreat that you will let me know, day by day, what your people observe, however small consequence it may be of. I am prodigiously concern'd for the folly of our friend Lochiell; and I am, &c.

No. CCCCX.

The Lord President to John Mac Pherson.

Honest John, Culloden, 20th Ag^{t}, 4 o'clock afternoon.

I HAD your's of yesterday's date from Dunachton this morning. In my apprehension, you are too soon allarm'd. I dare say there are no forces at all landed; tho' such reports must be spread to encourage on the one side, and discourage on the other. The officer of the barrack surely will not be so mad as to quit it, to secure himself & his stores anywhere else, without ane express order from the gen^{ll}. He may, I dare say, remain long enough safe where he is; & it is time enough to think of giveing it up, when he has made the best defence he can. The inclosed for the D. of Atholl must be forwarded to Blair with all the precaution possible, & by a fresh express; as Clunie, who

who will send a guard, shall think most fitting. Let him have carefully the letter directed for himself, & let me have his answer as quick as possible. You are in the right not to grudge expresses, which I shall pay for. In the mean time, I have given to this bearer, as I did to the former, half a crown only to drink.

I am, &c,

No. CCCCXI.

The Lord President to the Earl of Stair.

Same date.

My Lord,

UPON the receiveing the Commiss^ns^ for the Independent Comp^y^ the 13th in^t^, I wrote to the Mar. of Tweeddale a letter of the same size with this, which I hope is come safe to hand, because I know it reach'd Abd^n^, & was dispatch'd by sea after Sir J. Cope. I did not then write to your Lop, trusting you would see mine to my Ld Marq. & avoided carefully the multiplying letters, which run a considerable risque of being seiz'd, even as this does; for since Sir J. Cope left us, Glenbucket, with a few Highlanders, takeing the advantage of the D. of Gordon's state of health, which is at present bad, is in the neighbourhood of Strathbogie, & alongst Diversnside, busy trying to levie men for the Pretender's service, & prowling about to intercept all intelligence. His success, according to the best of my information, is but indifferent, as to his recruiting. No gentleman of any consideration has as yet join'd him; & his money has run so scarce, that he is levieing a guinea upon the plough of land; but the dilligence of his adherents is such, that most letters are intercepted. I mention this as the cause why I wrote not formerly, & why I write in this small volume, & with a further intent, that your Lop may press what I have of this date & formerly recommended to my Ld Mar. that some small clever sloop be sent to keep the correspondence open.

I cannot as yet take upon me to acquaint your Lop, with any certainty, what effect the Commissions sent to me will have; tho' I am sanguine enough to hope for good ones. Your Lop may be very sure I will make use of all the discretion I am master of, in the disposition of them; & it is my present expectation, I shall get a considerable body of people that may be trusted together, under the favour of them, so soon as arms, & money, or credit, come; without which they cannot be made use of. But, for want of room, I refer your Lop for this to what I have now & formerly wrote to the Mar. Each Comp^y^, so far as I find it necessary to give out Commiss^ns^, I propose shall at present consist of 100. The Commiss^ns^ to be given to such as can bring those numbers together immediately.

As to the state of this country, in short, for the paper will not admitt of much writeing, the rebells have not had, so far as I know, 20 men dependent of Sr A. M^c^Donald, Mac Leod, Ld Fortrose, Ld Cromerty, Ld Sutherland, Ld Reay, Grant, Ld Lovat, Macintosh, or Chisholm, to join them. I need not mention the Monro's, whose signall service Sir J. Cope has doubtless acquainted the Administration with. That drawback has doubtless been ane important disappointment of the expectations that were entertained by the rebells; and if in this conjuncture, when the most restless zeal on the side

side of the Jacobites exerts itself, things can be kept in this part of the world in the same condition in which they are, I flatter myself your Loᵖ will not think the Commisⁿˢ, at least so many of them as I shall dispose of, ill bestow'd; but I am hopefull they may have still better effects, provided our correspondence can be kept open in the manner I have mention'd, & that we can speedily be supply'd with arms & money. Your Loᵖ easily will perceive, that literally I have not room for particulars, & therfor I shall only add, that I am most faithfully yours, &c.

No. CCCCXII.

The Lord President to Sir J. Cope. Same Date.

Dʳ Sir,

I HOPE this will find you safe in the latitude of Edʳ; & that mine of the 12th & 13th, which follow'd you by sea, have been deliver'd you. What I now write goes in company with one of the same size to the Mar. of Tweedale, & ane other to Lᵈ Stair, pressing the establishing a correspondence betwixt you & this country by sea, & furnishing money & credite to make the independant compʸˢ effectuall, as I hope you will dispatch arms to us. As to our state, it is the same in this neighbourhood as when you left it; & to keep it even, costs me no small trouble. Glenbucket is levieing, but without the desired success, troops in the shire of Bamf & skirts of Aberdeenshire. His force is not as yet said to exceed 300; & money is become so scarce, that he levys it by force. He pretended to stop Culcairn & the Munro's at Bamf; & gave it out, that he was to disarm them; but upon the Munro's advancing to that town, he thought proper to leave it three hours before their arrivall; & they pass'd by this house to-day, in their way homewards to their harvest in great spirits. I long to hear from you, & am,

Dʳ Sir,

Faithfully yours, &c.

P. S. Since writeing what is above, I have received a letter from Sconsar, in the Isle of Sky, dated the 17th 2 o'clock afternoon, in answer to one of mine sent by express. It is from the same gentleman whose letters I show'd you att Edʳ without allowing you to name him; & bears in substance, that there was att that time no other ship arived besides the first; that the young Invader had not with him above 25 persons, mostly Irish, or descended of Irish; that none of these ever was above the rank of a Lieut. Collⁿ; that there was no Scotsman of figure, except the D. of Atholl's brother; that they had alongst with them 1600 stands of arms, which were said to be bad; that the ship, which was of 18 guns, is gone north about; that, by the care of Sir Alexʳ Mac Donald & Mac Leod, no man has join'd them from that island; that they both are ready to arm their kinsmen to the number of 1500 or 2000, as the Govᵗ shall require, for the defence of it; that they have between them hardly 200 guns & swords, & these in very bad order; that, so arm'd, they at present cannot defend themselves if attack'd; & that if arms were sent them, which may easiely be done by sea, they will, on the first authority from the Govᵗ, make use of them. The letter adds, that the Invaders talk confidently of ane invasion on the south-west part of England from Ferroll, & boast of 30,000 stand of arms, which are to be distributed to persons ready to receive them in England; but this the writer looks upon to be gasconadeing. Now, Dʳ Sir, as this

letter

letter is of the highest authority, with respect to the disposition of the two gentlemen from whose iland it comes, & as I have reason to be perfectly satisfy'd they are in earnest, you will not fail to give it dûe attention. If the D. of Argyle is with you, you may show him what I write, & name to him the person from whom the letter comes to me.

No. CCCCXIII.

The Lord President to Clunie.

Dr Sir, 20th August 1745, late at night.

I RECEIVED your's of the 19th late this evening; but about two hours befor your messenger came, I dispatched ane express to John Mac Pherson with a letter to you, which I hope will come safe to hand; but lest it should loiter by the way, I inclose a copy of it. The advice I there give is my sincere opinion; paper bullets (such as the printed Declaration, for the transmitting of which I thank you) do generally but small execution; & I should hope prudence, as well as humanity, will prevent those necessary severities, which will tend, with men of resolution, only to exasperate. Should steadyness to their duty bring any country under hardships, I trust, as in my former letter I have mention'd, that ane indemnification for losses will ensue. Your letter to the Gen^ll (wherof you sent me the copy) is exceeding right; there is only one thing which I wish you had not express'd so strong; & that is, when you say, that most of all the Highland chiftains are with the young Invader. For, contrary to what you have been informed of concerning Sir Alex^r Mc Donald & Mac Leod, I do assure you, that they are both in the same disposition that you & I are; that they have absolutely refused to join, & have prevented the stirring of ev'ry man of their dependants; & my authority for saying so is no less than letters under the hands of both; the last of which I received this day about one o'clock; it is dated the 17th instant, 2 o'clock afternoon, & written by Mc Leod in answer to one that I sent him by express from this place after my arivall. I mention this to you for your private satisfaction, that you may not be imposed on by reports which will be purposely raised to intimidate some & delude others; but I would not have their correspondence with me spoken of, except to friends, because it is unnecessary it should yet be publick. If they had any expectations of your freind Lovat, they are vastly mistaken; & Seafort acquaints me, he has order'd a randivous of his people. Communication is open by a sloop, & there must be some coin to begin with. As to Sir J. Cope's conduct, I think in my conscience he acted wisely, & for his Majestie's service, in not attempting the Corryarig, where want of success might have such terrible consequences to the publick; & without knowing the state of his orders, & the state of his provisions, I cannot say he ought to remain in Dalwhiny. The appointing Ld Lieuts. I think would, as things now are, be too late. This is a strange scrawl, to be justify'd only by necessity.

No. CCCCXIV.

No. CCCCXIV.

The Lord President to Sir John Cope.

Dr Sir, 21 August, 7 at night.

THIS goes by William Chisholm, a surgeon's mate to Coll^ll Lee's reg^t, who has been in this country for some time by leave; & is now, by Coll^ll Halket's order, to join the reg^t. His father is a good freind of mine; & as the young man is deserveing, I shall take the liberty, on a proper occasion, to recommend him to your favour. In mine of yesterday's date, I acquainted you that the D. of Gordon had set out for Ed^r last Thursday. I have since learn'd that he went no further than Haddo-house, & has return'd to Gordon Castle. I have heard nothing from him: when I do, you shall know. By a letter from Mr. Mac Donald, of Lochgerry, of yesterday's date, which I saw to-day, it is assured, that Glengarry, who had not at all join'd the gentlemen in arms, was to set out as that day for Blair, to put himself into the hands of the D. of Atholl; & by a letter just now received, I am inform'd, that the Duke of Atholl, dispairing of support from the troops, who he was inform'd had orders to retire from Perth to Stirline, had set out for Ed^r to meet you & the D. of Argyll. If this shall prove to be so, the fruit of fetching Glengary to Blair may be lost. When it is known here, it will be attended with considerable discouragement; & the communication by Blair, should the Highlanders advance that way, will be entirely cut off. In this situation, I will be much at a loss what to advise the people of this country to do; & the more so, as I have heard nothing from you since the 13th. If my dispatch to you, of yesterday's date, come safe to hand, as I trust it will, I hope you will consult with the Dukes of Argyll & Atholl about the contents of it, & contrive some mean to let me know what we are to expect. Once more I presume to mention the necessity there is of sending more arms, if you would have any thing done in this country.

I am, &c.

No. CCCCXV.

Sir John Cope to the Lord President.

My Lord, Trinifuir, 24th Augt 1745.

I HAVE just now rec^d your letter of the 20th August.

The great quantity of provision, ammunition, & artillery, I have along with me has made it impossible for me to make stronger marches than I have done, without leaving men or provisions behind me. I have been marching from five o'clock this morning, & fear, from the horses being very weak, the provisions for the men will not arrive till ten or eleven at night; so that whether I shall be able to march from hence, or not, to-morrow I cannot yet determine. The men are well and in high spirits, & I doubt not but I shall keep them so. I'll certainly write to y^r Lordp from Del Whinny; & by that time I shall be able to tell your Lordp when I shall get over the Coriaric. Your letter pleases me very much. I make no doubt but we shall bring the imprudent gentlemen who have engaged against us to repentence for their folly. A letter Lord Loudoun sent to Cluny was intercepted last night; it was of no great consequence, having reason to believe that might happen. The attention I have for the preservation of the troops I have with me takes up too much of my time to allow me to be particular. 'Tis true, two of St Clair's additional comp^s are taken ill, I'm inform'd, upon the road. A man

of war of ours lays before Fort William; & they tell me here many from the enemy's camp, who were forced away, left them. I wish your Lordship would let some body write in my name (which I have not time to do myself) to the lords in the north in our int; that I am marching with a body of troops too formidable for the enemy to dare to attack; & we only wish they may give us an opportunity of attacking them; that tho' those noblemen may not have their clans completely arm'd; yet as they are numerous, & probably by accident some of them may have arms, I hope they will be ready to join with me as shall be concerted amongst us. I am surprised to find an expression in your Lordp's letter, "The Duke of Argyll, if he be with you." I must conclude from hence, that my letters are miscarried; for I not only writ to your Lordp of my intended march, but likewise have writ since I set out. I have just now recd yours of the 21st & 22d; & am more surpriz'd to find you think me still at Edinr.

I hope all our friends in the north will think themselves safe under the protection of our troops. I saw Glengary the father at Crief with the Duke of Athol: 'tis said, none of his followers are yet out, tho' there is some doubt of his youngest son; the eldest (as Glengary told me) is in France. Letters from your Lordp will find me upon my march. I shall write to you when I can have time.

I am, my Lord,
Your most obedt humble Servt
JNO COPE.

I march from hence to-morrow.

No. CCCCXVI.

The Lord President to Sir John Cope.

Dr Sir, 24 August, 12 o'clock.

YOUR'S of the 18th was deliver'd me last Thursday. I doubt the Duke & Earl will find it more easy for them to bring their men to serve in the shape of militia, under their own masters as officers, than by being incorporated with the troops; & somewhat of that kind ought, undoubtedly, to be done. I hear that Captn Switenham, and the officers of the two compys of the Royall Regt, who were taken, have been treated with abundance of civility. Captn Switenham is released on his parole; & Captn Scott, who was wounded in the shoulder, is in like manner sent to Fort William to be taken care of. I am told also, that the Highlanders assembled receive regular pay: it is ridiculous, that those in this neighbourhood who are disposed to serve the King cannot be supply'd in the same manner. I need say no more about arms than what I said in my last. I am confident you will be inform'd, by the time this reaches you, of their numbers, as they stood three days ago, by a person who knows it better than I do. They talk confidently of their being soon to be join'd by greater numbers; but as to that, I continue ane infidel; their destination I can as little guess at, as formerly when I wrote you. However scanty our intelligence is, theirs is plenty; they lately have heard of troops haveing been march'd back from Perth to Sterline, & are in high spirits upon it. If you suspect that the correspondence by Blair & Ruthven may be unsafe, why may not messengers be sent by the coastway? This moment I have letters from the Isle of Sky, dated the 20th 12 at night. The two chiefs of that country have effectually prevented any junction from thence; they are dayly threaten'd: it's pity some sloop is not order'd to carry them arms.

I am, dr Sir, &c.

No. CCCCXVII.

The Lord President to the Provost of Aberdeen.

My Lord Provost, 24 August 1745.

YOUR letter of the 21st, desireing to be inform'd toutching the insurection in the West Highlands, was this day deliver'd to me. What you say you have been inform'd in relation to it is true. The eldest son of the Pretender landed about 3 weeks ago on the coast of Arisaig, with a few gentlemen, not exceeding 30 in number, & some hundreds of stands of arms, but wtout any troops: the Mac Donalds of Clanranald's family, & Keppoch, & some of Glengarry's, together with the Camerons, have flock'd in to him; but I do not hear of any other kindred that have, or are disposed to join him. Some of their loose people surprised the two new-rais'd compys of the Royalls, as they were marching from Fort Augustus to Fort William; &, as I presume, encourage themselves pretty much on that score, tho' the atcheivement is not of so great consequence, as the copys which had been lately draughted were not half completed, & as they were composed mostly of raw lads. I know nothing of the destination of this body that is now in the fields, which are not as yet at all in a condition to deal with the troops whom they will soon meet if they march to the southward, & who must be, I should think, discouraged, because none of the clans to the northward will dip in their folly, but are, on the contrary, disposed to oppose them. As this disturbance is now on foot, which I hope will soon be quell'd, the town of Aberdeen is surely much in the right to be upon their guard, to take care by all proper means that the peace be preserved, & to discourage as much as possible fools from running upon certain ruin: the means, you & the magistrates are much better able to judge of than I am at such a distance. I am, my Lord Provost, to you & the town of Aberdeen a sincere well wisher & most humble servt, &c.

No. CCCCXVIII.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 24 August 1745.

Since my last to your Lordship of the 17th instant, there have been transmitted to me, from Sir John Cope, and others of his Majesty's Servants in Scotland, several pieces of intelligence so very extraordinary, that they did not gain the least credit with me; and yesterday I received a letter from Sir John Cope, with a copy of one from you to him, dated from Colloden, the 15th, late at night, which confirms what little credit ought to have been given to the various reports he had heard before that date. If Sir John Cope shews your Lordship the letters I have wrote to him, since the first of this alarm, you will, I hope, see that they all tend to one point; vizt his marching immediately with a body of troops towards Fort Augustus, as the most effectual means to deter the disaffected from assembling, and to prevent a set of loose and disorderly people from threatening with ruin and destruction those of their neighbours who will not concur with them in such desperate mad measures.

I am glad to find that Sir John Cope has at last begun his march; for I must own in confidence to your Lordship, that there appears to me to have been some unnecessary delay in this matter. In my own opinion, I can have no notion but that Sir John, even with the few forces he has, keeping them in a body, and going directly to the place

pointed at, will be able to quell very soon any insurrections that have or may happen; especially as we have no reason as yet to think that they are like to be supported by any debarkation of foreign troops.

Your Lordship's said letter to him is written with so much good sense, and so agreable to the character of the man who truly wishes well to his King and Country, that I hope your Lordship will continue to give him your advice often; and wh I hope he will pay a due regard to. I must likewise beg to hear frequently from you.

His Majesty is expected here on Monday or Tuesday next; when I shall not fail to let him know of what use your presence in the north has been at this juncture.

I am, with very great regard,

My Lord,

Your Lordship's most obedient humble servant,

TWEEDDALE.

No. CCCCXIX.

Mr T. Mulloy to ——————.

Dear Sir, Ruthven, in Badnock, August 25th 1745.

I SHOULD have sent you some Scotish occourances before now, but waited to send you matter of fact. Last night Capt Swettenham came to this barrack, who was prisonr eight days in the pretended Prince Charles Regent his camp (as he stiles himself). The Capt was taken about a fortnight agoe, goeing from this place to Fort William to command three companys of the Regimt which is in garrison there. He is released upon his parole of honor, through the intercession of some Irish Gentlemen who are along with the Prince, and came from France with him; particularly one Col. O'Sulevan & Coll Kelly. The Captn has a passport signed by the Prince: he is not to act against the enemy, and is to return when required. I have read the passport. The day after the Captn was made prisr, there was two Companys of the Royall Scots and a Sergt and 12 men of Guise's taken, and is now prisonrs in the Prince's camp; they were going to reinforce Fort William. I shall not trouble you with the particular distance of places which I shall, in the title of the rebellious clans, relate; but refer you to the map of Scotland; but shall suffice that this barrack is not much above 26 miles distance (the near way) either from Fort William, Fort Augustus, or Fort George, where our regimt are at present in garrison; and not much farther from the enemy's camp, from whom we expect a visit hourly.

The Prince landed in the northwest islands above a month agoe, in a small vessell carrg 18 guns. He was separated from a French man of war, who was to conduct him with a number of men on board; but fell in with the Lyon man of warr, as you had it word for word in the publick papers, which gave his ship opportunity to make off. At his first landing the Highlanders refused joyning him, and told him it was madness to attempt, and would have him go off; but the Prince made answer, that he was often these 3 years past invited by them, and by others in England and Ireland, and that he would not return until he had gained his point or loose his life in the attempt, and be no longer a begar in France, or in any other Court; which answer prevailed upon the Highlanders to joyn him (as follows):

1st Clan-Rannell with his clan; Kinlogh Mooder & clan; Logheal & clan; Capagh and clan; Glan-Garry and clan; Glan Puckett & clan; besides petty Lairds & their clans.

Last

Last Monday the Prince's standard was sett up, and carryed by the old Duke of Atholl, a man above seventy years old. Such loud huzzas and schiming of bonnetts up into the air, appearing like a cloud, was not heard of, of a long time. Last Thursday they drew up in their order, and the Prince reviewed them to the number of 1,500; which was the day the Capt. left them. No Gentleman could be better used than he was when he got among the Gentlemen; neither was there any thing that was taken from him, but what was return'd, except his horse's saddle and sword; and the Prince had order'd a pair of horses to be given him in lieu of his own; but that was neglected. Genl Cope is within two days march of this place, with four regim^{ts} of foot and two of dragoons, with some artillery, in order to meet the enemy; and the enemy is preparing to meet him, and thretens high. The Lord only knows how it will end. The enemy has neither foreign troops nor artillery, but about 18 pattararoes of one pound each. They told the Capt. that they will be in England in a very little time; where they are sure to meet with friends enough. There is none of those we call loyalists here has joyned us yet; they say they have no arms. God send they may prove loyall. I have been called upon severall times since I begun to write this scraul, by false allarms. This redoubt has no fortification nor defence, but a shallow wall, and our small arms; which hurry, I hope, will make excuse for the imperfection of this lett^{r}.

I recommend you and your family to God's care; and I make no doubt of your accustomed goodness towards my people. I thank God I enjoy good health, and am in good heart. There is no way of sending my wife relief of money as yet. I have lost most of my things at Aberdeen. My sincere respects to your fire-side. D^{r} S^{r} be pleased to make my complem^{ts} to M^{r} & M^{rs} D'Anvers, to Alder^{n} Rogers and Mrs Rogers, to Alder^{n} Revins; and be pleased to accept of the like from your most sincere humble servant, TER. MULLOY.

No. CCCCXX.

From Mr Thos Fraser, of Gortuleg, to Lord Lovat.

My dear Lord,

THIS goes by Thos Mc Alister, or William, one of the Chelsea pensioners; he begs your Lo$\tilde{p}$'s good offices with Genl Guest. I am sure nobody needs recommend him to you.

I am still here, endeavouring to keep your Lo$\tilde{p}$'s people in order; I am afraid the contagion is like to spread more than I at first imagined. The people from the wes tthreaten all their neighbourhood with destruction, if they do not join. Menaces of this kind, and other circumstances that I shall not trouble your Lo$\tilde{p}$ with at present, gives me my handfuls ado to keep the people in order. I have seen Captn Thomson, Lieut^{s} Ferguson and Rose, and five Serj^{ts} and two or three men of the Comp^{ys} taken prisoners last week. They talk a good deal of the civilities they met with from the young Pretender; they were liberate upon their parole of honour, to return when summoned thereto. They are discharged from touching at any fort or garrison, or conversing with any officers belonging to the ehemy, as they call them; untill they are at Edin^{r}. And while here, they religiously observed their engagement; for they would not go near the fort, or converse with any of the officers in it. They call the Highland camp upwards of 2,000 strong. I go this day to Strathherick if I can, to take care of some idle people there; but a great deal will depend upon the civilities of the Highlanders, as we are left at

their mercy. What the devil keeps Sir John Cope? I shall have the honr to write your Lop̃ how soon I have any thing to say; and I expect to hear from your Lop̃ how soon you receive your post letters; and it is very necessary that your Lop̃ write very strong things, that I shall communicate to your Lop̃'s people.

I ever am, &ca

26th Augt 1745.

No. CCCCXXI.

The Lord President to Major Grant.

My dr George, 26 Augt, 6 at night.

BY a dispatch, which I received this afternoon by Captn Stewart's man, from Sr John Cope, dated at Trinifuir the 24th at night from his camp, he was to march next morning in quest of the adventurers, who, I should hope, will not think fit to wait for him. I am willing to believe, that the intelligence you sent me from Urquhart is not precisely true. That fools might have join'd I doubt not; but I flatter myself their numbers are small; & yet I shall give notice to Sir John of the rumor. In my opinion you ought forthwith to acquaint your nephew with the arrivall of Sir John amongst us, that he may give the proper directions to hold his people in readiness to join him, & to act by his directions, if there shall be occasion.

I am, &c.

No. CCCCXXII.

The Lord President to Sir John Cope.

Dr Sir, 26 August.

YOUR dispatch from Trinifuir the 24th was this day deliver'd me at 2 afternoon. I had none besides since the 18th; so that if you wrote any other letters, they have miscarry'd. Upon receipt of yours, I have dispatched messengers to Ld Fortrose & Ld Lovat, entreating they may have their people in readyness to answer occasions. I have also wrote to Major Grant, Gover of Fort George, that he will give notice to his nephew, the young Laird of Grant, to the same purpose; & I have used the freedom with the Laird of Macintosh's Kinsmen, in his absence, to advise them to hold themselves in readiness against the time they may have his directions: he, I understand, is with you; & he will give the proper orders, when you judge it necessary. Where this letter may find you, I cannot exactly tell; the messenger, however, has orders to put it into your hands as carefully as he can. What numbers you are to meet with, I cannot certainly know; only report from their neighbourhood, which seldom is under the truth, makes them no more than 3,000: in my apprehension they are not so many, especially if Clanranald's men from the island of Uist, have not join'd them; & I am certain, by a letter from Mac Leod from Sky, dated the 22d 12 at night, that they had not sail'd from Uist at that time, & were then unwilling to risque. Tho' you left old Glengary behind you, I have strong suspitions, that the gross of his clan have joined the other Highlanders; & this day it is rumor'd, that Glenmoriston, who was quiet Saturday morning, has also marcht to their assistance: that he has done so I hardly believe, tho' its very possible that severall Mac Donalds and Camerons in his hands, & in Urquhart's, may have been seduced; & after all, the numbers, with their addition, cannot be what they are called: what they give out is, that they are to wait for you on the north side of the mountain over which the road of Corryarig leads, in a precipitous or boggy

boggy ground, where cavalry cannot act; but if the bushes are weell beat, there can be no surprise in day-light, & I have no notion that they will look the troops with artillery in the face. I shall look for your further commands with impatience. Ld Loudoun's compan^s^ here were yesterday hardly 150. The distance of the places, where Mac Leod's, Mac'Kay's, & Sutherland's company are rais'd, in the cause.

I am, d^r^ Sir, heartily yours.

Culloden, Monday, 26 August, 7 at night.

P. S. I ask your pardon for the impertinence of suggesting to you, what will most certainly occur to yourself, that the Highlanders can at pleasure mar the made roads, & thereby prevent the carriage of heavy artillery over steep or boggy grounds.

No. CCCCXXIII.

Sir John Cope to the Lord President.

My Lord, Ruthwin, Augt 27th, 1745.

THE reason of my coming here shall be fully explained to your Lordship when I have the honour to see you. The only message I have had since I left Stirling, that has the appearance of countenancing the King's troops, is from the Laird of Grant this morning: his kinsman is returned to him; and I have desired, if possible, that he will meet me with some of his men, and the rest that he can gather together, the next day, or as soon as possible. I bend my course directly to Inverness. If your Lordship approves it, I think it may be right for Lord Loudon's men, and any other armed men you may have at Inverness, to join me on the march: it will give a spirit and appearance at least of some consequence to the friends of the Government, and deter wavering people from going lengths to hurt themselves. The accounts of the enemy vary extremely as to numbers, but not as to situation. Lochiel's people on the north-west side of Loch Lochy; another body at Loch Garry on the west of Loch Oyich. Their whole plan, by all we can learn, has been to wait for us at and near the Corriarick Hill, where they expected us to-morrow. What turn next they will take is at present very uncertain; but I am hopeful their followers, when they are apprehensive that all their dwellings may be destroyed if they venture southward, may leave them; and our troops being here, may raise the spirits of our friends. I have ordered more arms, &^c^. to Inverness, as likewise biscuit and other provisions. 5000 arms are coming from London; and some, if not all the garrison that came out of Ostend, being 5 good battalions, are actually on board for Leith. This I can take upon me to assure you to be true by the last good authority I had from London. Tho' I have mentioned Ld Loudoun's men, I beg to leave it to your Lordship's discretion and ordering, and I shall approve of every thing you are pleased to do. I have passed the Spey, and incamp just on the north side of it. M^c^Intosh goes off to-morrow at break of day to his people. I have lugged along with me abo^t^ 200 arms, not thinking it possible to come thro' so many friends country without needing some hands to put them into; but not one as yet. I am in great hopes from Grant and M^c^Intosh. Cluny has been with me; his men I ordered to meet me at Gauvimore, and first bent my march that way this morning. I have sent Cluny home this morning, to bring his men to me as soon as possible. I have not time for more.

I am your Lordship's most obed^t^ Servt,

JNO. COPE.

No. CCCCXXXIV.

The Lord President to Lord Fortrose.

My Lord, 28 August, 6 at night.

THIS moment I have a letter from Sir J. Cope, from Ruthven. He has not pass'd the Corryyarig; not from any notion of opposition, but from ane apprehension the enemy may give him the slip, and march southwards, by the skirts of Argyleshire. If they did so, they must be unhappy, because they must meet with 5 battalions of the late garrison of Ostend, who were order'd for Leith, & ship'd many days ago. Sir John is desireous, from the countenance which the Govr expects from it's freinds, to crush this insurrection as speedily and with as little loss as possible; and is therefore solicitous to have, from the well-intentioned, as many men together as may easily be compress'd. What I therefor humbly suggest to your Lo^p^ is, that, without loss of time, you would order as many men as you can arm quickly, to be immediately brought together as near this country as possible, arms for the rest being hourly expected; & that you would be so good as to give me notice what's to be done in this way.

I am; with perfect good will, &^c^.

No. CCCCXXXV.

The Lord President to Sir J. Cope.

Dear Sir, Culloden, 28 August, 10 at night.

SO soon as I received your's of yesterday's date, from Ruthven, I^d^ dispatch'd messengers to Lord Fortrose & Lord Lovat, who have both given assurance of their assistance. What I press'd them to, was, the bringing immediately together as many as they can arm, & the prepareing others to receive arms, which are soon expected. Their answers you shall soon be acquainted with; but their assistance is hardly to be depended on for immediate service; I sent also for the Commanding Officer of Ld Loudon's at Iñ^s^, & for the Govr, & acquainted them with your commands. There is no doubt the men, who are 150 and no more, as I wrote you, can be spared safely from Inverness; & they therefore are this night order'd to hold themselves in readyness to march at ane hour's warning; but, as you have not signify'd when you intended to sett out, or where you would have had them meet you, they are not to be put actually in march till they receive further orders; but upon the shortest warning they will move. If Macintosh carry any orders to this neighbourhood, or if by his directions given to him your design can be collected, Loudon's people shall be order'd to answer it. There are no other arm'd men in this neighbourhood; and there neither has been nor is there as yet, any authority for bringing them together, nor any mean of subsisting them. Besides, that no danger seem'd immediately to press. Concerning the numbers of the Highlanders, I know nothing further than what you have in my last; their situation, by what I can learn, is more easterly, towards Corryyarrig, with ane intent, as they pretended, to meet & surprize you. What course they will take, upon your altering your route, is uncertain. You do not mention when you propose to leave the Spey; & I presume you have consider'd what is to be done in case they, leaving their miserable huts to mercy, should resolve to pass the Corryyarig, & march southwards. But it seems to be fitting that you acquaint us, without loss of time, &

in such way as that the advice cannot come into the enemy's hands, what course you propose to take; &, as nearly as can be guess'd, when; to the end, any thing that can be done in this corner may answer it. In my last I acquainted you that I had a letter from Mac Leod of the 22d from Sky, giveing ane account that Clanranald's men from Uist were not sail'd from thence: in that letter, he is extremely pressing to have arms sent to him & Sir Alexr Mac Donald by sea; as they have render'd themselves obnoxious to the Clans in arms by opposeing them; & if that may not be, he proposes, if he may have but 200 stand of arms att Iiis for his immediate protection, he will send down so many men to fetch them. I could not take upon me to dispose of so many of the small store that is here, not knowing but you might have more immediate use for them; but I detain'd his messenger untill I have your orders; & if you think it proper that I should promise him those arms, I shall direct him to send the men for them: in the mean time you will think, how far it is proper, or possible, to supply those two Gentlemen, who have been of vast service to the cause, by sea with arms; & you will give immediate directions with respect to this last proposall of delivering 200 at Inverness. I expect to hear from you as soon as possible; and am most faithfully,

Dr Sir, your's.

No. CCCCXXVI.

Lady Cluny to the Lord President.

My Lord,

I HOPE you will easily believe, that the situation of affairs at present in this family may have been cause sufficient to put me so much in disorder, as not to have the presence of mind your Lop may judge might be necessary, by letting you sooner know of the unhappy transaction happened here last night; which was, that Cluny was seized in this house, 'twixt ten and eleven o'clock, by a party of about a hundred and twenty men from the Highland camp, which arrived yesterday evening at Garva; when we were but just then assured they had taken the Strathherick road. The party that came here guarded him, & surrounded the house all night; and this morning there came two hundred men more; they brought him then away; & my sister with me followed, to beg of the Gentlemen who had the principall command of the army to allow him return home on parole; but, after all our intercessions, it was not in our power to prevail with them to part with him one minute. They marched towards Dallchuny this afternoon, and have brought him allong. How far they propose to bring him, God knows. The case being thus, and as your Lordship will judge of what is proper much better than I can think of, I beg you advise what you see necessary to be done for Cluny's interest.

I beg you will be so good as forgive this trouble, & believe that I am,

My Lord,

Your Lop's most affectionate & obliged humble Servt,

JANET M'PHERSON.

Cluny, 29th August 1745.

No. CCCCXXVII.

No. CCCCXXVII.

Lord Reay to the Lord President.

My Lord,

I'M extremly glad your Loᵖ is in the North at this time, when your advise and assistance can be of such service to the Government.

When I first got such intelligence of the insurrection in the West Highlands as I could give credit to, I wrote immediately to Sʳ Jnº Cope, that I and my clan were ready to do all in our power for the support of the present Government; but that we wanted arms & ammunition; which is so far the case, that without a supply of these we could scarcely defend the passes of our own properties, in case of attempts to carry off our cattle or so. I believe my letter did not overtake Sʳ Jnº Cope ere he left Edinʳ; nor may he, as he is a stranger in Scotland, know or advert to the necessity of our having arms, &ᶜ. Therefore, as your Loᵖ is well acquainted with him, and as, no doubt, he'l have the greater regard to your judgment, I beg leave to give your Loᵖ the trouble of this, that you may be so good as to take your own method to lay our situation before him. Your Loᵖ knows that in the year 1715. what effect the junction of the people of this country with the well-affected in Ross & Inverness shires had; so far as it helped to divide our enemies; and perhaps it may be necessary to play the same game over again; of which your Loᵖ is best judge. I was lately informed, that some people in Caithness, who were never looked on to be well affected to the Government, have entered into a resolution to raise their militia as for the Government; and that, with that view, one of most note amongst them was soon to be sent to L—d S—r, who was lately in that country, to invite him to be their commander. If their intentions in this are sincere, I shall be glad of it; tho' I can't help suspecting the reverse. I hope your Loᵖ will not name me as your informer in this. As these are my neighbours, I want to live with them as well as I reasonably can; but should the case be as I suspect, the necessity of our getting arms & ammunition is still the greater. This your Loᵖ can easily see by the situation of the country; therefore I need not explain it.

The Earl of Sutherland and I have concerted to joine all our men for the service of the Government, as his father & I did in 1715. I wrote of this date to Sʳ Jnº Cope under Governor Grant's cover, calling for 400 stand of arms. I reckon Earl Sutherland acquaints the number he'l need.

As I have not the honor of Sir Jnº Cope's acquaintance, I did not mention the Caithness story to him; but leaves it to your Loᵖ to communicate it, or not, and in what manner you see proper; but in any event, I beg leave to think that their militia should get no arms. As I said already, I know your Loᵖ's advice and opinion will have more weight & effect with respect to all I have represented to you, than any thing I can write; particularly as I am in manner a stranger to him. As I had allwise the greatest regard for your Loᵖ, and that I know none has a more sincere zeal and affection for his Majesty's person & Government; so I make no doubt but you'l forgive this trouble from him who has the honor to be, with great truth and esteem,

My Lord,

Your Lordship's most obedient,

most affectionate humble Servant,

Tongue, 30 Aug. 1745. REAY.

No. CCCCXXVIII.

The Provost of Aberdeen to the Lord President.

My Lord,

I RETURN your Loꝑ the town of Aberdeen's most hearty thanks for the favour of your Loꝑ's letter in relation to the troubles in the Highlands. A merchant of this place haveing ane express about privat business from Montrose, dated Sunday, one a'clock afternoon, in which is the following paragraph, I thought it my indispensable duty to lett you know the same by express, lest the enemy may have shutt up any communication by the Highland road; and, in caise of intercepting, thought it more prudent to send it under cover of the Earle of Findlater. The paragraph is as follows: "The Provost of Perth has sent ane express to the Provost of Brichen, adviseing that "he hade just then a letter from the Duke of Athol, telling that the Highlanders were "within six miles of Blair, and on Saturday night was to be in Perth, and that they "were fyve to six thousand strong. Sir John Cope having retired to Inverness, this "express from Perth was going for Sir John at Inverness. But six Highland Gentle-"men, comeing into Brichen when he came there, went out a little from that before "the express, and turned back the guide that was sent along, and carried off the ex-"press." This is all I know, and give you the information in the very words of the letter, which I believe not altogether fictitious, but desire it may have no further influence on the Government's management, than the stress your Loꝑ may lay upon such information. I hope you have more certain advice ere this comes to hand, but could not excuse myself without acquainting your Loꝑ with what's above, and have the honour to be, with great esteem and regard,

My Lord,

Your Loꝑ's most obedient and most humble servant,

JAMES MORRISON, Provost.

Aberdeen, 2ᵈ Septᵉʳ 1745,
2 a'clock, morning.

No. CCCCXXIX.

Lord Findlater & Seafield to the Lord President.

My Lord,

I BEG leave to congratulate your Lordship on General Cope's arrival in the North with his army. I flatter myself that his military skill and prudence, joined with the bravery of our troops, and assisted by your Lordship's good advice and knowledge of the country, will defeat the rebells, or oblige them to dissipate; because, whatever their numbers may be, their men cannot be very well trained; neither are they led by persons remarkable for great abilitys or experience in the souldier trade. I am sure the King and Country is much oblig'd to the diligent and prudent care which I understand your Lordship has used upon this occasion; and I most heartily pray God may crown your Lordship's endeavours, and those of His Majesty's other servants, with speedy success.

In the situation in which I am, in a corner where tho' far the greatest number of my tenants are really well affected, yet they have no arms, and have never been accustomed to use them; and there are many popish and disaffected persons in the neighbourhood;

bourhood; you may be sure I am under very great uneasiness; and my anxiety must be very great, especially as we are dayly allarmed and entertained with various storys totally differing from one another. I hope therefore, however unwilling I may be to take up any part of your Lop's time, which I know is so well employed, you will excuse my begging to have such truth from you as you think fit to communicate, and what advice and direction you think proper. I have in various ways been most faithfully using my endeavours to keep up the spirits of the well affected; and to demonstrate to those, whom I suspected not to be so, the folly and rashness of this very extraordinary enterprize; and I imagine I have had some success. Among others, I have had a pretty frequent correspondence with the Magistrates of Aberdeen, who have indeed always expressed the greatest zeal and most firm attachment to His Majesty's service, and the libertys of their country. This correspondence has, I suppose, occasioned their sending the enclosed letter open to me; and I shall take care to forward without delay whatever answer your Lordship may think fit to give.

There is an incident happened near this place last night, which, altho' it may perhaps be but trifling, I chuse to mention. A boat came about one a clock in the morning to Portknocky, a fisher-town of mine a long mile from this house. There were in it ten or twelve people, as they say, in tolerable good habit. Only one gentleman came ashore, and lay in a little ale-house. He paid liberally for his entertainment, and went off at five a clock in the morning with his servant, pressing a cupple of horses and a hirer from a countryman. He said in the ale-house, that he was an officer belonging to General Cope, and intended to breakfast with me, and that he would only take the horses the length of Cullen; but when he had proceeded a little, he altered his resolution and went eastward closs by the coast, shunning this little town and the high road. The hirer he took with him is not yet returned. The boat likewise proceeded eastward, and by the enclosed letter appears to have landed another man at Banff. Our suspicion is, that they are people intended to be taken up at Inverness, who have made their escape. Your Lordship will, perhaps, judge of the matter better than I can. I am glad that this corner at present affords no incidents more remarkable. The General's coming has struck some damp on the disaffected; but I tend to be of opinion, that any event favourable to their cause would tempt many loose people to join them.

As I have not the honour of being acquainted with General Cope, I hope your Lordship will pardon my using the freedom to intreat you will be so good as to make my compliments to him in the most respectful manner; and to assure him, that nobody in Great Brittain can more sincerely and heartily wish his good success.

I must alſo beg you will excuse my using a servant's hand, because, having been these two days a good deal indisposed, I could not easily write myself. I have the honour to be, with the greatest respect and esteem,

My Lord,

Your Lordship's most obedient humble Servant,

FINDLATER & SEAFIELD.

Cullen house, Septem^{r} 2^{d} 1745.

No. CCCCXXX.

The Lord President to Lord Harrington.

My Lord,

IT is the difficulty of the situation in which I find myself that obliges me to give you the trouble of this letter. About 3 weeks ago I flung myself into this country to try how far any share of credit which I had with people could preserve them in their duty & prevent their madness; & I had no unconsiderable success, tho' I had not what I wish'd. But I was astonish'd to hear, that after the rebells had got together to a head, Sir John Cope, with a handfull of troops, had been ordered into the mountains to attack and disperse them; & that he had actually engaged himself so far, as to reach the Spey, & to be within a few hours march of them. My concern grew, as I was perfectly well acquainted with the passes of Carryyarig, over which he must pass if he would go the direct road to Fort Augustus, & which, by a very small body of clever Highlanders, who should mar the roads & break down the bridges, could be easily defended against a much greater force than he commanded. And I was relieved from my apprehensions only upon finding that he turn'd to the right, & by forced marches reach'd this place Thursday last, at night. It was unlucky that his orders engaged him to come so far north, which has given ane opportunity to the rebells to seize the passes of the mountains betwixt Badenoch & Atholl, & to march southward; where it is not easie to determine what mischief they might do. At the same time, it would be exposeing the troops to too evident a danger, to pretend to follow them by that road, wch they can easyly mar' & render impassable. He has chosen the party of going southwards by the coast, which will give him ane opportunity of embarking his troops at some of the sea ports, if the transports which he has order'd from Leith meet him; or if he can pick up shipping sufficient in the seaports near to which he passes. When embarked, he can land at Leith, or more southward, as the nature of the service may require. Those circumstances your Lop will, doubtless, be acquainted with by himself; but what engages me to write, is, the situation in which this country must be when he leaves it. The greatest part of the chieftains are quiet, & disposed to be so; nay, some of them most certainly desirous to show their zeal for the Govt; but they are all unarm'd; there is no authority to bring them, or any number of their men, together, & there is neither money nor credit to support any body of them whom it might be thought proper to bring together for his Majtie's service. I made this remonstrance to my Ld Marquis of Tweeddale before I left Edr, in my journey hither, & now I renew it to your Lop; to the end your Lop may consider what is fit to be done. Had we been provided with these three things ten days ago, matters would not have been in the condition in which they are at present. If we are speedily supply'd, the peace of this part of the country will be secured, & the rebells views of gathering any further forces in the north prevented; if we are not, every thing must be left to chance; & I cannot say what influence is to be expected from praying and preaching only, which is all that will be left me to do. I further submitt it to your Lop's consideration, whether it may not be proper, furthwith to order some clever sloop of war to attend this place, were it for no other end than to give & receive intelligence, & to convey your orders.

Haveing laid these things before your Lop, I have discharged my duty; & whether any orders shall be given upon what I represent, or no, I shall continue endeavouring

to do what, according to circumstances, shall appear to be best for His Majestie's service. I ask your Lop. pardon for the great freedom I use, & am hopefull you will excuse it, because you know my zeal for His Majtie's service; & you know that I am perfectly your Lop's faithfull & most obt

Servt.

Inš, 3 Septr 1745.

No. CCCCXXXI.

The Lord President to Lord Reay.

My Lord, Inš, 3 Septr 1745.

I AM glad to see, by your Lop's letter of the 30th August (what I never doubted), that your zeall for the support of His Majtie's Govt is as warm at this stage of life, as it was 30 years ago, when it did singular service to the Crown. It is extremely commendable in your Lop & the E. of Sutherland to have your men in readiness to act upon the first proper occasion; and it were to be wish'd that we had arms in numbers sufficient to put in their hands: but as the arms that remain here to be disposed of are few, and as more are expected, untill these arrive I cannot advise your Lop to send hither for any. What I write is after speaking with Sir John Cope, who is perfectly apprised of your duty & attatchment to the Royall Family, & will leave the proper orders for giveing out arms when they arrive, & for accquainting your Lop when it will be proper to make use of them for the King's service. I have heard of no motion yet made for arming your Lop's neighbours, whom you mention: when any such is made, I dare say it will not meet with a favourable reception. The Genll & every one trusted by the Crown are acquainted with your Lop's zeall, & will easily distinguish between the fitness of trusting arms in your hands, & that of putting them in the hands of gentlemen who have not hitherto given any proof of their affection to His Majtie. It is becauſe I would not detain the bearer, that I add no more, but that I am with great respect, my Lord, your Lordship's most obt & most humble Servt, &c.

No. CCCCXXXII.

The Lord President to the Provost of Aberdeen.

Culloden, 4th Septr 1745.

My Lord Provost, 4 Afternoon.

YOUR Lop's letter dated the 2d, at 2 a clock in the morning, was deliver'd me this morning. Your townsman's intelligence from Montrose, of the rebells being to be at Perth on Saturday, was, I believe, true enough; as it was also, that the Magistrates of Perth sent ane express the low way, to acquaint Sir John Cope with that circumstance; but it is not true, that that express was seised at Brechin; for the fellow made his way to Inverness with his packet, where I saw him yesterday; neither do I incline to believe that the number of the Highlanders was such as he heard. Rumors of the terrible kind grow strangely by travelling. I doubt not, indeed, that they have pick'd up, in their journey from the south side of the hills, severall individualls who may have been well wishers to their cause; but wee do not look upon those troops as formidable, tho' they

they be call'd Highlanders. Sir John Cope has, with the troops under his command, march'd this morning from Inverness for your town. I should hope this march will cool the zeal of a good many unthinking people in your neighbourhood, who might be mad enough, from false reports agreeing with their inclinations, to run over a precipice. It was the necessity I was under to ride out, to talk a little with Sir John on his march, that prevented my giveing ane answer some hours sooner. In this country, tho' the troops have left us, we are under no apprehensions; as the chieftains round us are disposed to serve the Gov^{t}; & the unarm'd have prevented the junction of any other freinds or followers with the unlucky men who have taken up arms. I am, my Lord Provost, your most ob^{t} & most hum^{ble} Servt.

No. CCCCXXXIII.

The Lord President to the E. of Findlater.

Same date.

My Lord,

THIS morning the letter your Lordship did me the honour to write me the 2^{d}, was deliver'd to me. I never had any doubt that your Lop̃ would exert yourself, so far as circumstances put it in your power, in defence of the Gov^{t}; which, tho' threaten'd, is, I hope, in no danger. Nothing is more naturall than for the gentlemen, who are in arms against it, to magnify their force & multiply their numbers; but such as are desirous not to be deceived will receive such reports with great caution, & must make considerable allowances. I believe what the Pro. of Aberdeen writes is true, that the Highlanders may have been at Perth last Saturday or Sunday; & I doubt not that severall in their way of thinking, from the south side of the mountains, may have join'd them; but as those, tho' under the name of Highlanders, are not, nor have been for some time very warlike, I do not consider them as terrible to deal with. The person who landed near Cullen, & posted southward, was ane officer sent by Sir John Cope, with letters to Edin^{r}, who, finding that the small boat, in which he hoped to have coasted it, could not bear up against the easterly gale, quited it, & pursued his journey on horseback. Sir J. Cope has march'd this morning from Inš, with the troops under his command in his way to Abd^{n}, & so round the coast. His presence will, I should hope, cool the inconsiderate zeall of some rash people; & we, whom he leaves in this country, are in no apprehension from the Highlanders, who have left very few adherents in this neighbourhood; most of the Chiefs of any consequence being desirous to support the Gov^{t}. I have left the inclosed, for the Pro. of Aberdeen, open for your Lop̃'s perusall: I presume your Lop̃ will forward it. I am, with perfect respect,

My Lord,

Your Lop̃'s most ob^{t} & most humble serv^{t}.

No. CCCCXXXIV.

The Lord President to Sir John Cope.

Dr Sir, Culloden, 5 Septr 1745, 12 o'clock.

THIS morning the Inš foot post, that ought to have come on last Monday at noon, arrived. He was seised by the rebells at Blair; his packet, which he used great industry to conceal, taken & rifled, & he detained till Tuesday afternoon. I have sent him forward

ward to you, that you may examine him; & I give you now the heads of what I could make out of him, to save you as much trouble as possible. He says, that what they call their army march'd from Blair Tuesday morning, & no sooner, in their way to Dunkeld; that they had not at that time been join'd by any body of men from Athol, Badenoch, or Breamar, or any other place; but that they gave it out, that they expected to have considerable reinforcements from those parts by the end of this, or the beginning of next week; & yet it would seem this was not believed by those in the D. of Athol's interest; for the post says, that when he was dismiss'd, Comissary Bisset, & Peter Macglash, who keeps the inn at Blair, told him, they durst not then write, but desired him by word of mouth acquaint me, immediately on his arrivall, that their numbers were inconsiderable; that they did not exceed 1800; that they were but in indifferent order; & that a sudden march of the troops southward would much discourage them. If this be true, severall that pass'd the Corryarig with them must have left them; & indeed if they did not meet with such a ready concurrence as they were made to expect, I do not much wonder that there should be desertion amongst such troops. He further says, that Glenbucket was not with them; but that he had gone down to the low country, to try to raise men; & that he had placed small guards in all the passes of the mountains to intercept intelligence. He says, he is sure Bleakney has not faln into their hands; for that he met with a Stirling hyrer at Blair, who told him that Bleakney had stopt at Stirling upon the reports of the rebells advanceing. He says, what I am very glad to hear, that almost all the men that were surprised in going to Fort W^m^ have stood out, & refused absolutely to list with the enemy; & the cause of his knowledge is, that he saw three or four score of them, barefooted for the most part, & tatter'd, under a guard of the Highlanders. He says, he saw a few of the soldiers (some of them he knew, that deserted from you in your march) doing duty with the Highlanders; but I think he does not make them exceed half a dozen, if so many. He saw Lochgarry acting alongst with them, & many of the recruits he had rais'd for Loudon's Reg^t^. He saw John Roy Steuart, who had just come from France, & had landed on the east coast; & it was to him, whom he was acquainted with, that he ow'd his deliverance; & he further says, that no troops had landed at Leith last Thursday night when he left it. This, Sir, is the substance of what he said to me: if any further question recurr to you, I have sent him, that you may interrogate him. I have this morning dispatch'd a courier to Blair, to be further satisfy'd as to the state of things there. He was dispatch'd befor the Ins post came to me; if he brings any thing worth your knowing, it shall follow you. I am, without ceremony,

Dr Sir,

Yours, &c.

No. CCCCXXXV.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 10th Septem^r^ 1745.

I HAVE received your Lordship's of the 1st instant, which I have laid before the King. You may believe we have not been a little surprised at the several accounts we have received from Sir John Cope and others of His Majesty's servants at Edinburgh; and tho' military men here are of opinion, that it might not have been fit for His Majesty's service for Sir John Cope to attack the rebells when they were posted on

the Carryarick, or that it was even practicable for him to have marched that way to Fort Augustus after they were possessed of that pass; yet they think that he ought to have staid somewhere about Dalwhinny; and in that case, it would not have been easy for the rebells to have made such a progress into the south before him. But as this matter is now over, it is needless to enter into a discussion on the point.

By his last letter of the 31st of August, he acquaints us, that in conformity to your Lordship's, and Lord Loudon's opinion, he had sent orders to His Majesty's servants at Edinburgh for providing shipping at Leith to transport the troops round by sea, in case he should find it impracticable to force his way after the rebells; and this idea is approved of by His Majesty's servants here.

I am glad to find your Lordship gives us some hopes of the Government's receiving, at this critical juncture, a real assistance from the well-affected Clans; and I am much of opinion, that it is greatly owing to your Lordship's presence and countenance there, that so great a body of the northern Highlanders has hitherto remained quiet.

Your Lordship will find by my letter of the 4th, that His Majesty had sent down some blank Commissions for forming the Highlanders, who are determined to support the Government at this juncture, into companies, and the purposes for which they are to be employed. I have likewise wrote of this to Sir John Cope, that it will be necessary he should appoint some officer to have the command and direction of these Independent Companies when formed; and this measure answers one objection which your Lordship has also pointed at formerly; the want of a proper authority to call them out; tho' it is thought here, that no authority is necessary to empower His Majesty's faithful subjects to arm, attack, and disperse their enemies, in time of actual rebellion. Sir John Cope has informed me some time ago, that 1000 stand of arms were at Inverness; and I hope more will be sent from Edinburgh in case it is thought they can be safely disposed of.

In relation to money, as all correspondence is now stopt betwixt Inverness and Edinburgh, I know no other way your Lordship can be supply'd but by taking up what money you can get in your parts, and drawing on Mr Pelham for the value; which, he assured me this day, he would duly honour. There are more Dutch battalions ordered to Scotland. In the present difficulty of correspondence, and uncertainty of the situation of affairs, we here cannot form any certain judgment how to direct; but His Majesty, and all his servants here, have the greatest confidence in your Lordship's acting and ordering every thing for the best at this juncture. I am, with very great regard and esteem,

My Lord,

Your Lordship's most obedient humble servant,

TWEEDDALE.

No. CCCCXXXVI.

Sir John Cope to the Lord President.

My Lord, Terra, 10th Sept 1745.

BY letter from Genl Guest, of the 6th, I am inform'd that Captain Rogers arrived at Edin' on Wednesday last. The things I writ for will be ready under convoy in 3 or 4 days from that time. I sent Colonel Whitefoord to Aberdeen, who wrote me that he has got the same things there in readiness. I hope to be in Aberdeen tomorrow night with the troops, and then shall take my resolution, according as things cast up.

All

All the boats in the Firth are on the south side. It is reported, the rebels are gone towards Stirling; but many are the reports, and few to be relied upon; Glenbucket has not above 300 men out of these parts. The King is landed. Dutch troops are at sea; some for England, some for Leith. I have no letters from London since I saw your Lordship. I hope we shall get the enemy between two fires; by what I hear, they are disappointed in the numbers they expected. The troops with me are in good heart. I waited on the Duke of Gordon at Banff, where his Grace came to meet me; he was not very well in his health, so that I had little more than common discourse with him; but what he did say was expressing himself zealously for His Majesty's service. I have this minute rec[d] a packet from London, in answer to letters I writ from Dalwhinny. They are in great pain lest I should have attempted the Coriarick. I find 5 Dutch battalions are embarked from Holland, and more are to follow. I did design to march this morning between 5 and 6. It is now past 6, and not a horse yet come in to carry our provisions, tho' promised to be here at 3 in the morning. I wish this is not contrived purposely to distress the King's troops, which I have been apprehensive of before now; so that I fear I shall have difficulty in getting to Aberdeen tomorrow, they being two very long days marches. I am,

My Lord,

Your most ob[t] humble serv[t],

JN° COPE.

The bearer is the man that M[r] Grant the Barrack Master sent out: his information is so little worth, that I question whether he was where he pretended to have been: however, be pleased to tell M[r] Grant to pay the man, and place it to my account.

No. CCCCXXXVII.

Sir John Cope to the Lord President.

My Lord, Aberdeen, 13th Sep[tr] 1745.

WE arrived here on Wednesday; the transports arrived here the same day: putting in water & provisions takes up a great deal of time, tho' all hands have been employ'd since the arrival of the transports. The artillery is on board. I hope to embark the troops this day, tho' the tides to serve us fall out very cross.

The 11th inst. the Highland army marched into Perth 10 o'clock forenoon: they gave out that they designed for Edin[r]; but by all my informations they intend to take the way of Monteith. I send your Lordship an information I had from two sensible persons, most part of which has been confirmed by other hands I have employ'd, but cannot learn any certainty of their numbers. I have just now had an account from Faulkland, that the rebells are about 3000, & are not yet joined by the Marquis of Tellibarden, Lord Early, Glenbucket, & some others which they expect. Strouen Robinson join'd them with 300. This letter from Faulkland (which was writ yesterday) says, that the Dutch are in the road of Leith. I am extremely uneasy at my present situation. I have but one satisfaction; that is, that I cannot reproach myself with having delay'd a minute, since I left Stirling, in doing for the best; which all those with me seem sensible of, tho' those at a distance, not used to march with armys, nor at all knowing of the countrys we have march'd thro', will certainly blame me; but I flatter myself that will not be the case in your Lordship's opinion.

I am

Your Lordship's most obed[t] serv[t],

JN° COPE.

No. CCCCXXXVIII.

The Earl of Sutherland to the Lord President.

My Lord, Dunrobin, Sep^tbr 11th, 1745.

FROM the time Sir John Cope came to Inverness, I had 200 men readie to joine the King's forces. Of this I acquainted Sir John; and also, that I would join him myself with 400 more, if His Majesty's service requir'd it. I acquainted him, at the same time, that the few arms I had must be kep't for the defence of the country against some wrong-headed neighbours, whose inclinations to rebellion I had strong reasons to suspect; and desir'd that he would order arms for the men he might have occasion to call from this countrie.

I had his answer by Major Mackay only last night, that he had left some arms at Inverness, and that he desired your Lop̃ to distribute them as His Majesty's service required. Your Lop̃ knows the attachment of my family to His Majestie and the present establishment; and, as the arms that are in the north are under your direction, I hope your Lop̃ will put me in a condition, by arming my people, to render effectual service to His Majesty. And as very bad consequences may arise from sending unarmed men from here to Inverness by land, & as the season of the year renders their going by sea in open boats precarious, I wish your Lop̃ would be so good to send the arms here, with such a quantity of ammunition as they may have occasion for in the way. As the common course of post is stopt, we know nothing here of what is a doing to the southward. Pray, my Lord, assist us in this article all you can. Political lyes and common reports, of which we have plenty here, have their influence.

I have the honour to be,
My Lord,
Your Lop̃'s most obliged humble servant,
SUTHERLAND.

P. S. I am this moment inform'd, that some people from Caithness, with arms, are to pass through this countie, under pretence of guarding their cattle: how am I to deal with them?

No. CCCCXXXIX.

The Lord President to the E. of Sutherland.

My Lord, Culloden, 12 Septr 1745, 11 in ye forenoon.

LAST night the letter which your Lop̃ did me the honour to write me of the 11th was deliver'd: it expresses properly your Lop̃'s zeal for the support of the Gov^t, which must give satisfaction to every one that wishes well to it; & your readyness to defend it. Your Lop̃'s reflection, that nothing can be done for that end to purpose without arms, is very just; & it is to supply that want, that 6000 stand of arms are sent from the Tower. These arms are actually arrived at Leith; & a good number of them would have been here before this time, had Sir J. Cope been at Edin^r. So soon as he arrives there, he has promised to send them; and the moment that happens, your Lop̃ shall have notice. We are at present in a sort of tranquility in this country, as the rebells are gone southward: how long that quiet may last is uncertain; & therefore what the King's dutifull subjects in this country have to do, as it appears to me, is, to

keep their men in readiness to act on the shortest warning, for the security of the Govt, & for their own protection, untill the expected arms arrive, & a proper occasion offer of doing more effectuall service.

The orders for giveing out the arms, are with the Govr of Iñ, who shall have my advice when they come, & when anything to the purpose may be done with them, to put as many of them as may be necessary in your Loꝑ's hands, whose affection to the Govern't is on the best grounds so unquestionable: as for your neighbours to the northward, if I do not mistake the men, they are too wise, even were they all disposed, to venture to force a passage whilst your Loꝑ is in the way. If they send droves to the southward, in the circumstances in which things now are, they must have arm'd men attending them; but then should the numbers of these men be so great beyond the occasion, as to give just reason to think that the driveing the cattle is only a pretence to colour the sending to the south a body of arm'd men, your Loꝑ will be justify'd for hindering them to pass: but I am hopefull no such thing will be attempted. With respect to intelligence, I know little more than the prints will inform your Loꝑ of. Only 5 battallions are actually sailed from the Dutch coast, & the rest are embarking. The dispositions for their reception were actually made at Leith last Friday; & it's more than probable some of them are there before this time. Gl Cope arrived at Abdn, as I have reason to think, from a letter dated from Turreff, which I received from him, as last night. He has found shipping enough in that port for transporting his troops southward, should that be his choice; but whether that will be his course, or if he will wait at Abdn for the Highlanders, or if he will follow them by land, must depend very much on their numbers & situation, wh I at present know nothing particular about. La George Murray has, much contrary to expectations, put himself at the head of the Atholl men, & join'd the rebells; which probably will encress their numbers, but will not add much to their fighting men. Capt Macky, hearing of Glenbucket's being in his way with 2 or 300 arm'd men, struck off from Elgine to the Brugh, & from thence follow'd Sir John Cope by sea. I am, with perfect respect,

My Lord,

Your Loꝑ's most obt & most humble servt, &c.

No. CCCCXL.

The Lord President to Sir John Cope.

Dr Sir, Culloden, 12 Sept. 1745, 10 at night.

I HAVE your's from Cullen of the 8th, & from Turreff of the 10th. I hope you have received mine, acquainting you with the march of Capt. Macky's Compy Monday morning last. He had directions to avoid the force which I had some intelligence of, if it was superior; & accordingly, meeting at Elgin with a report that Glenbucket lay in his way with 200 men, he turn'd to the left to Brugh Sea, & ship'd himself off from thence in a large open boat. By this time I am hopefull he is with you. Monday night Capt. Sutherland, with 54 men, & Tuesday night Capt. Mac Leod with his compy compleat, arrived at Inverness: they had arms deliver'd out to them; & it was proposed they should march tomorrow morning, together with the other men of L. Loudon's who are here, with the same precautions which were to be observed by Mackay; but observing, by your letter of the 10th, that every thing was to be ready for you at Abdn, & concludeing that whether the rebells turn'd their whole force against you, or took the

the party of marching streight Southward, you probably would make use of the shipping that was at your hand before they could arrive; & on the other hand, weighing the inconvenience of looseing at this juncture so many raw men, who may be made usefull if Glenbucket should surprise them with the numbers you mention, & which reports aggravate, it was thought adviseable to suspend their march till orders from you (which may come to-night, or to-morrow, in answer to my last) arrive, or till more certain advices of Glenbucket's numbers & motions determine. In the mean time, they are ready at an hour's warning. Since my last, I have heard nothing with any certainty from Perth; it is confirm'd, that Lord George Murray is at the head of the Atholl men, who are forced into the service; but the numbers which my last letter mention'd are said to exceed the truth.

In this country, we are at present very quiet, & probably will be so untill you drive the gentry back upon us; tho' abundance of fools are at work, to instigate men to play the fool. I have great assistance at present from MacLeod, who at my desire came from the Isle of Sky, alongst with his son, & is now my fellow labourer; what we aim at is, to league for our mutuall defence; & in case we are supply'd with the arms, and credit, or the money expected, to try what may be done to put the most speedy end to the present commotion.

It was reported, that Cluny was come back to Badenough, in order to raise his men; but after the most exact inquirey I have been able to make, this seems not to be true; but, on the contrary, that he continues to be kept prisoner, & that none of his men have join'd the rebells.

The courier who I dispatched to Edr last Sunday was 7-night got thither safe, delivered his letters, & is come back. He brought some letters for you, & some others who attend you. As they carried nothing that could in any probability be of service to be known here, I abstain'd from looking into them; & as they make too considerable a bundle to be easyly conceal'd, at the same time that it's not likely they contain much of consequence, I have committed them to this bearer, with the best directions I could think of. At the same time that I have folded this up in a smaller volume, the more easily to be conceal'd. I have a letter from the Advocate, who took the liberty to break up mine to the Mar. of Tweeddale, but there is nothing worth mentioning in it. It is unnecessary further to remind you of our arms & money, when you get to the Southward. I am intirely your's, &c.

Tell L. Loudon, that Sr Al. McD. has made him a present of 13 very handsome men for his compy.

No. CCCCXLI.

The Lord President to Sir J. Cope.

Culloden, Fryday, 13 Sept. 1745;
10 at night.

Dr Sir,

THIS morning the packet from the Marquis of Tweeddale, with the commissions, came safe to my hands; tho' the fellow run considerable risques, which he avoided skilfully. The Advocate writes me word, that the seals were broke up before they came to him, he does not know how. The burden of disposeing the commissions is a great one, & which I very unwillingly undertake; but since necessity urges, I shall do according to the best of my judgement. I cannot omit the Clans that have here-

tofore shew'd zeal; & it seems to me to be undispensably necessary to repose confidence in those who, tho' thought formerly against us, have on this occasion absolutely refused to give any countenance to the Rebells, & have used their best endeavours, & in severall instances with success, to prevent the frenzy of others; & that being the case, I do not know whether there will be room for what Ld Loudone seems to point at, the giveing 3 comp^ys among the Munros, who march'd with you; because tho' they have merit as being the first, nay the only kindred that have hitherto broke the ice, yet so signall notice taken of them, when the number of commissions to be given out will not permitt of the bestowing in any thing like proportion on other kindreds more powerfull, may create a kind of jealousy, & provoke Highland vanity in such sort as to produce indifferent consequences. Besides that, I imagine that if you were to consult with Captn Munro, of Culcairn, they would be contented with less. However, Sir, if you, upon weighing what I have represented, shall think otherwise, they shall have their commissions; & I shall save commissions for 3 capt^ns, 3 lieutenants, & 3 ensigns, 'till I receive your directions. They should be sent in blanks as they are, but that the volume would endanger the conveyance.

Now we have the comm^ns it will occurr natureally to you, that without arms & money they can be of no use. I think of makeing the comp^ys hundreds for the present exigence; but they must be fed as well as arm'd; & bank notes have at present no credit here. The arms you can supply us with when you come to Leith, but money & credite must come from London. I therefore hope, when you can safely do it, you will let them know at London the necessity there is of remitting some money hither, if they would have any good done; & of employing some clever arm'd vessell, of whatever size, to keep the correspondence open; in which case money could be had for bills, & a smaller quantity of cash will answer the purpose. A note in this volume for the Marq^s of Tweeddale will be deliver'd to you, which you will forward. Beg of Loudon to write to Lord Stair, to tell him I have got his letter; that I will do what lies in me to answer his intentions; & that he shall hear from me by the first safe conveyance. Be so good also as to tell the Advocate, I have received his.

I am intirely your's, &c.

P. S.—If you are embark'd before this reach Abd^n. it will, I hope, be sent after you. No news since I wrote last night. I have a letter from Glengary, since he left Atholl, dated at Fort Augustus, lamenting the folly of his friends.

No. CCCCXLII.

The Lord Advocate to the Marq^s of Tweddale.—Above date.

My Lord;

DESIRE to have this note safely convey'd must be the excuse for the minuteness of the volume. This morning your Lop's packett came safely to my hands, throw severall hazards, with com^s for 20 independent comp^ys. The trust reposed in me by his Maj^tie & his Min^rs does me great honour; but then the burden is so great, that I certainly would decline it, if the exigency left time to remonstrate; but as somewhat must immediately be done, I have no choise left, but to act according to the best of my judgment; & if I should happen to err, I hope the blame will be laid on *that*, & not upon my heart, which I will venture to assert is well disposed: it is my present purpose to distribute such of these comm^ns as I shall give out among those clans who, on occasion

sion of the last rebellion, show'd their adherence to the protestant interest; without neglecting such other clans, as, tho' adversary at that time, have on this occasion behav'd themselves well beyond the expectation of most people, & thereby very much provock'd the rebells, from whom they withhold two thirds of the force which they flatter'd themselves they could have carry'd from the North Highlands. The comp^{ys} I propose to make up to a hundred each for the present juncture; &, that they may be quickly raised, I propose to take the recommendation of the Officers from the Chiefs of the clans that are to raise the men. It is possible I may make some mistakes; as we have lately seen instances, in Ld Loudon's reg^{t}, of men who accepted of comm^{ns} before the insurrection, deseft to the enemy. But it is improbable, that after the rebellion is afoot, & men have actually taken their sides, any one will accept of a commission without meaning to answer the end of it; and should it in any partar case turn out otherwise, the worst consequence is, the loss of the arms, & that must be risqued when a much greater good is in view. I need hardly tell your Lop̃, that tho' I look for a good effect from those commissions, yet they can be of no service without arms and pay. Arms I have wrote for to Sir John Cope, who may send them from Leith; but unless we are supply'd with money & credite from London, I cannot tell how the service can be perform'd. Bank notes have no currency with us at present, & coin is miserably scarce. Besides that, the little that is, is lock'd up, because, the communication being stopt, trade is at a stand, & no one will part with the little money he is possest of for a bill. In these circumstances, some cash must be sent; & if, with that, there was a clever arm'd vessell order'd to attend, & to carry dispatches between this & Leith, or London, the credit which might be order'd would become more effectuall, and orders might readily be received, & intelligence given. Your Lop̃, it is true, in your's of the 17th of August, mentioned that if I laid out any money for intelligence, or otherwise, Mr Pelham would repay it; & I accordingly laid out small sums without hesitation; but when the question is to feed such a body of troops in the present condition of the country, I really cannot find the money. When the pay of these comp^{ys} comes to be put on any regular foot, George Ross, a person known to your Lop̃, who formerly attended me, will be a proper person through whose hands it may come. Every thing is at present quiet in this part of the country. All we can do is, to prevent debauching men into the rebells' service.

I am, with perfect respect, your Lop̃'s Servt, &c.

No. CCCCXLIII.

The Lord President to Glengarry.

Sir, C. 14 Septr 1745.

LAST night the letter you did me the honour to write me of the 12th, from F. Augustus, was deliver'd to me. It gave me much satisfaction when I first heard of your prudent resolution of waiting on the D. of Atholl, in whose comp^{y} Sr J. Cope told me he saw you; & on the other hand, I do assure you, it gave me no small pain to learn, that your freinds, many of whom I know, & had a great regard for, chose the party in which they are now engaged. I wish with all my heart they had consulted your honour & their own safety more than they have done. I am glad you are got safe home, without being much hurt with the fatigues of so rough a journey as you have had; & tho' it would add to my satisfaction, to have the honour of seeing you in this

this place, as you propose, yet I readily dispense with that pleasure, as it might be attended with those inconveniences to you which you mention. Be so good as to make my compliments to my Lady, & believe me to be,

Dr Sir,

Your most obt & most humble Servt. &c.

No. CCCCXLIV.

The Lord President to Inverchasly.

Sir, Culloden, 17th Septr 1745.

I AM intrusted by his Majestie to dispose of some commissions, to such as are able & willing to raise independent compys for the service of the Govt at this critical juncture; & I have some hints, that the Master of Ross is sent for (pursuant to a suggestion of your's) to come over, to make the figure he ought to make at the head of his namesakes of this country. I have, therefor, thought of reserving a Captain's commission for him, & of filling up the commissions to his subalterns with the names of a son of your's, who I am told you are desireous to have in the army, & with that of David Ross, Shandwick's brother, if you approve of it. The Gentleman last named, who is lately come from Edr, carrys you this; & it is my wish to know your sentiments on the subject as soon as possible; & that, if it may be, I may see you here without loss of time. In the meantime, I trust you will not take notice of this to any body; and that if you approve of what I mention, you may turn it in your thoughts how to get 100 clever fellows together for the present service, as soon as arms can be had to put in their hands. The bearer, who left Edr lately, will relate to you what he has heard of the Rebells; which, according to the best of my information, is not very formidable. I am in heast, & therefor shall only add, that I am,

Dr Sir, sincerely your's, &c.

No. CCCCXLV.

The Lord President to the Earl of Sutherland.

My Lord, Culloden, 17th Septr 1745.

YOUR zeal for his Majestie's service, & your ability to act up to that zeal, leaves me no room to doubt, that I shall act agreeably to his Majestie's intentions, if I receive your Lop's directions with respect to the choice of Officers for ane independant compy now to be raised. The nature of the service requires, that such a compy of your Lop's men be immediately set on foot; & as you are the most proper judge which of your freinds are the fittest to be trusted, & the likelyest to be followed by your people, I beg that, after considering maturely, you will let me have the names of the persons whom you would have imploy'd as Captn, Lieut. & Ensign, that their commissions may be filled up accordingly. This compy ought to consist for the present of 100 men; & as there may be immediate use for them, I hope your Lop will cause pitch upon proper men to fill it up without delay, that they may be brought together as soon as arms (which are dayly expected) arrive. The troops under Sir John Cope were embark'd at Abdn last Fryday, & have probably landed at Leith before this. The Highlanders decamped from Perth last Wednesday; but not in such numbers as they

wish'd, or we apprehended.—If I can trust the concurrent reports which have reach'd me, it is believ'd by our Ministers, that the Grand Duke was elected King of the Romans, at Frankfort, the 2d inst. O. S.

I am, my Lord,
With perfect respect,
Your Lop's most obt & most humble Servt, &c.

[There is a similar Letter to Lord Reay.]

No. CCCCXLVI.

The Lord President to the Magistrates of Elgin.

Gentlemen, Culloden, 18th Septr 1745.

I HAVE your's of the 16th, expressing your apprehensions of a visite from Glenbucket, & wishing for a compy or two of the new levied regt for your protection. As there is no certainty of the time of his comeing to you, supposeing he should ever come, the generall service does not permit, at this nick of time, the sending these compys to ly with you; but I hope in a very few days we will be able to part with the force you speak of, & with a much greater, to protect his Majestie's dutifull subjects. In the mean time, I flatter myself you are not realy in the danger you apprehended; for, besides that Glenbucket must in all appearance quickly follow his freinds, who are gone from Perth, without amuseing himself with marches which can be of no real service, I should imagine that common prudence would hinder him, whom I know to be a good-natured man, from committing any outrages, & prevent any excess of zeal in his friends; since these things could only tend to justify severitys by way of reprisall, which in a very few days it will be in our power, however little in our inclination, to exercise. As the insurrection now on foot has had countenance from so few persons of rank, property or consideration, I should hope it will require very small reflection in your neighbours, however otherwise disposed, to preserve them in their duty, & consequently in security. I need not imploy many words to assure you of my perfect good will to your town.

I am, Gentlemen,
Your most obt & most humble Servt, &c.

No. CCCCXLVII.

The Lord President to the Marquis of Tweeddale.

My Lord, 20 Septr, 10 at night.

THIS day I had the honour of your Lop's of the 12th, referring to one of the 10th, in which your Lop gave me more particular directions. The letter referred to, is not yet come to hand; & it was by the greatest accident that the other, which was in a packet not to be concealed had it met with any body to look after it, came safe. The cause of this difficulty, & the cause why I write in this minute form of concealment, is, that after Sir J. Cope left this country, Mr Gordon of Glenbucket, whom your Lop has often heard of, with some Highlanders & some zealots of the shire of Banf, have gone a recruiting to reinforce the posse that are gone southward; & tho' they meet with small

small success, yet they infest the roads, & render communication 'twixt this & Edr unsafe, if not unpracticable; which is one of the reasons why I have so earnestly press'd for some ship or arm'd vessell, to keep the communication open. I hope your Lop has received my note of the 13th, 10 at night, because it came safe to Abdn, & was forwarded by sea, after Sir J. Cope had sail'd. In it I acknowledged the receipt of the commissions sent me, & acquainted your Lop with my purpose of disposeing of so many of them, as I should judge necessary, to such persons as were most likely to bring a body of men immediately together for His Majestie's service. I am now working on that plan, & am in hopes of haveing such a body in readiness, by the time that arms, & money, or credit, to bring them together to act, can reach us. Your Lop has again mention'd, that Mr Pelham has promised to answer my bills towards necessary expence. But you could not be inform'd 'till you got my last, that such is the state of this country, from the confusion of the times, and the stop of communication, that all coin is lock'd up, & none can be commanded. I cannot command a shilling that is owing to me, & even bank bills are of no currency. I do as well as I can in respect to small expences; but sums of any value cannot be compass'd; & therefor, once for all, unless some vessell is sent, with a proportion of cash & credit, which by the open communication which will thereby be preserved, may be effectuall, the new Compys cannot speedily be of half the use they otherwise might be of. The state of the southern countrys, since the Highlanders pass'd the Forth, your Lop will be acquainted of from thence. Ours is, that tho' numerous emissarys have been imploy'd amongst the northern clans, no men have as yet been prevail'd with to be mad enough to join them since they pass'd the Corryyarig, to their very great dissappointment; & I hope the independant compys will be a mean to secure our tranquility, if not to do more; as there are mad men in all countrys, your Lop will easily believe, it will require some skill & industry to produce even this effect. Glenbucket, whom I have named, & who is said to have a Majr Genlls commission, has been for 10 days busy in Bamf shire, levieing troops; which, if I be not much misinform'd, desert him dayly: he has hitherto found no gentlemen of fortune to join him; & his numbers are not said, even by his own people, to exceed 300. In Badenock, Macpherson of Clunie, who lately had a company in Ld Loudon's new regt, & who was seised by the rebells, as he says by surprise, when they pass'd the Coryarig, is said to have listed with them, & to be raiseing his clan in order to join them; & I'me affraid the report is true. When our new indepent compys can be brought to act, we shall have nothing further of this kind. Ceremony can find no room in such a morsell of paper. I therefor take very respectfully my leave, &c.

P. S. Before sealing, your Lop's of the 10th has, throw many hazards, come to my hands.

No. CCCCXLVIII.

Sir John Gordon to the Lord President.

My Lord, 21 Sept. 1745.

IN obedience to your Lop's commands, I was at Tarbat House on Wednesday morning; and missing of Lord Cromertie, who was gone up the country for some days, I acquainted my sister and Lord Macleod with what you was pleased to give me in commission on Monday last to say to the Earl, and which his son inform'd him of by

by letter that night. Lord Macleod is very sensible of his obligation to your Lop for your favorable intentions towards him.

The accounts brought us by last post, of the intention to raise forthwith ten independent companies, has produced an application to me from my uncle Ardock & his son, which leads me to suggest him to your Lop as one whom I flatter myself you w^d not think improper to be employ'd in this new corps; provided the persons who are to receive commissions in it are not already determin'd upon. Your Lordship knows the steady attachment to this Government of those he is come of upon both sides. He himself is a brisk young fellow, and I'm confident quite zealous for the cause of liberty; and could in a very little time raise I believe the best part of a company from among the Highlanders upon their own estate in Sutherland, and of whose deserting him I sh^d imagine there w^d be little apprehension. For these reasons, as much as on acc^t of my relation to him, have I ventur'd to mention this matter of my cousen's to your Lop, which I hope you'll pardon; and impute, as you may, the variety of trouble given you this season to your Lordship's known zeal for the publick service, and acknowledg'd judgm^t in discerning how 'tis to be best promoted.

We continue here to be pester'd with a number of lies dispers'd in order to keep up the spirits of the party; and with this view, to balance the good news last post brought us, are we, I conclude, now told, that there is a large landing in the mouth of Clyde; and that the express which brought the news thereof to Inverness on Thursday, likewise brought intelligence of there being to be a rising by severals of consequence in the shires of Argyle, Dunbarton, & Clydsdale, in favors of the Highlanders whenever they had cross'd the Forth; none of all which can I believe, or think possible to be true; but look upon them in the same light as the stories of Glenbuckitt's great success, which it is needless to trouble your Lop with. In this country, no symptoms of the contagion have yet broke out, and I flatter myself none will, but that the whole body must be by ye time dispersing.

In Sutherland, I hear, the Caithness post says there are parties in the hills of thieves, and a guard every night at Dunrobin; but no enemy has appear'd, that I can learn: Next week I propose being in that country; and if there, or any where else, I can obey the commands of your Lop, I shall be fond of every opportunity of approving myself

Your Lordship's
most obedient humble Servant,
JOHN GORDON.

Newhall, 21st Septr 1745.

No. CCCCXLIX.

Lord Lovat to the Lord President.

My dear Lord,

I RECEIVED just now, it being very late in the evening, the honor of your letter of this day's date; for which I give your Lordship my most sincere thanks. I am very glad, my Lord, that your health is good, in spite of your vast fatigue: long may it be so; and I presume to assure your Lordship of my affectionate respects, and my son's; in which Inveralachy, who came here just before dinner, and Gortuleg join us.

I give your Lordship ten thousand thanks for having me in your eye when you had it in your power to do great & good service to my family. I shall always have a grate-

ful remembrance of it; and your Lordship cannot but remember that these 30 years past I had as strong an attachment for your Lordship's person & family as any man in Scotland; and never swerved from that, till I was unhappily deceived, & engaged to act against my zealous worthy friend your brother Culloden in the affair of his election; which I did and will repent of all my life; and I have been very sufficiently punished and chastised for it. But these unhappy jars being over, I am fully convinced that your Lordship bears good will and has very good wishes for the prosperity of my family; and this makes me still look on your Lordship as one of my best friends.

I am very much surprized and angry at my cousin M^c^Leod, that did not tell your Lordship my resolutions about the independent company, and explain my reasons for my resolutions, which he knows very well, and which I told him twenty times more fully than I can tell it in a letter. I therefore refer still to my cousin M^c^Leod to tell your Lordship my resolutions and my reasons for them. I am vastly obliged to my worthy friend the great Earl of Stair. This is not the first mark of his friendship for me, of which I will retain a grateful sense as long as I live. If I did not know that my friend the Lyon takes pleasure sometimes in telling and retailing clatters and storys, I would be very angry at him for writing to your Lordship such a ridiculous, silly, foolish lie, of me, which has no more foundation than if he had said that I was going to join Kuli Khan; for Glenbucket and I had a quarrel ever since Glenbucket went to Stratherick with Fraserdale, and threatened the Stratherick people to bring down the force of Badenoch upon them, if they did not pay their rents to Fraserdale. As to my cousin Inveralachy, the character that your Lordship gives of him in your letter is very just; for I do assure you, that he is a gentleman of very good sense and understanding, and far from being a fool, and was as cautious and prudent in his proceedings & ordinary transactions as any that lives in the shire that he is in. Besides, he knows his birth too well to go under Glenbucket's command on any consideration whatever; so that the part of the story attributed to him is as grossly false as my part of the story; which I am sure he will tell your Lordship when he has the honour to wait upon you. And I sincerely declare to your Lordship, that the reason I sent for him is, that I resolve to put my estate in trust into his hands, my Lord Strichen's, and M^c^Leod's; being determined as soon as I can, as I have been all this season, to go south, and from that to England, and from that to France (if I get leave), for the benefit of my health; and I sent for Inveralachy to be witness to Evan Baillie's drawing up the papers concerning my estate; because it's ten to one if ever I come back to this country after going out of it. This is the true matter of fact.

Whenever I am able to travel so far, I shall have the honour to pay my respects to your Lordship at Culloden, and explain this matter more fully to you; and I am with the utmost respect,

My dear Lord,

Your Lordship's most obedient and most affectionate Slave,

LOVAT.

Beaufort, 20th Septr 1745.

No. CCCCL.

No. CCCCL.

Lord Reay to the Lord President.

My Lord,

I HAVE the honour of your Lop's most kind letter, and am very glad to know, by it, that his Majesty has pitched on your Lop to dispose of the independent companys you mention; as I know none more zealous for his Majesty's interest, or more capable to choose the fittest persons, than your Lop. The trust you're pleased to put in me, in giving me the nomination of the officers of one company, is extreamly obliging: I shall be proud to execute it to the outmost of my power for his Majesty's service, your Lop's honour, & my own.

The properest person that occurs to me for the company, amongst my friends, is my son George, providing he chooses to accept, after advising with your Lop and knowing the footing these companys are to be on. As for the subalterns, I refer to George, who will deliver you this; only I wish with all my heart my grandchild, Bighouse's son, could be allowed of for the ensigncy, notwithstanding of his being only past thirteen years. This, in all other respects, will be of very considerable advantage to the company, as George will tell your Lop. I'm glad our enemies are beginning to cool. I hope they'l have dayly more & more reason to be so; and that matters will be therafter so managed by the Government, as will prevent any further attempts of this kind. I have the honour to be, with sincere respect,

My Lord,

Your Lop's most obedient, most obliged humble servt

Tongue, 23d Septr 1745. } REAY.

No. CCCCLI.

The Lord President to the E. of Cromertie.

My Lord,

HIS Majestie haveing been pleased to entrust me with the disposall of commissions for some independant compys now to be rais'd, Sir John Gordon, who was occasionally at this place, undertook to let me know from your Lop whether you would permitt my Lord Mac Leod to accept of a Captns commission, & how the young man would like it. Sir John has acquainted me, that he saw my Lord Mac Leod, but had not access to see your Lop, as you was not at home; that the young man expressed his willingness, & that he believed your Lop would fall in with his inclinations; tho', as he had not seen you, he could not give your own answer. What ỹrfor brings your Lop this trouble, is, to have your consent to your son's accepting this commission, which may be ane introduction to what he promises one day to deserve; because, however willing he may be to be in the army, & however desireous I may be to gratify him in what I hope will turn out for his advantage; yet, without your Lop's approbation, I would not presume to conclude any thing in a matter wherein you are so nearly concerned.

I am, with great respect, my Lord,

Your Lop's most obt & most humble servt, &c.

Culloden, 23d Septr 1745.

No. CCCCLII.

Mr. Alexander Robertson to the Lord President.

My Lord,

AFTER I parted with your Lordship, an unforeseen accident made me come home thro' Baddanach. I was at Killyhuntly sabath-night, where Clunie happened to come late at night. I told him, I was asham'd at the dishonourable part he had acted, when he knew what promises I had made that he would be faithfull and useful to his Majestie; and how his people were long agoe attached to the noble family of Argyle, and party'd them at the batles of Glenlie and at * * * * * * * against the Gordons. Clunie took all kindly, and at once told me his history; by which I find, he's still in possession of his commission, and did not write or give it up to Sir John Cope, as was reported. I find the loss of him, from being heartily engaged for the Government, was owing to Sir John Cope, which shows he's no good judge of mankind.

Killyhuntly went south to wait on the Duke of Argyle, to offer Clunie's service and their haill clan, to be employed to crush the rebellion in the manner his Grace should direct. Sir Jo. Cope made Killyhuntly prisoner at Lithgow, where they mett, and would not allow him to goe or write to Argyle, or to Clunie; but made him march back with the Earl of Loudoun's recruits; and by this means Clunie and all his people were quite bewildered, till Sir John came to Dalcharrie: there Clunie mett him, and asked leave to goe home & bring up his recruits, because he had before trysted them, to be next day at his house; and the gentlemen of the name were to be there also, in order to pick and choose as many of their best men to march with Clunie, as would make his company compleet, till he had time to recruitt others. But good Sir John show'd manifest traits of a jelousie of him; refus'd to let him goe, and used him as an informer; never once asking his advice, or using him as a friend; which was too low a way of treating a gentleman of his spiritt, who in a private capacity was abler to serve the King than Sir John. Clunie was not lett home for his men till the night after Sir John left Ruthven, when he was apprehended without his knowledge, I'm perswaded, from what I heard him say. He now owns, an angel could not resist the soothing close aplications of the rebels; yet he's sensible their designs tend to the total subversion of Church and State. He has a dread that he's allready gone too farr; but I promised your Lordship would bring all to rights betwixt the King and him; which soften'd him much; and when I offered to write your Lordship at his own sight anent it, he said he would not give me that trouble, but would take his own way; and he promised, that unless he see the rebells leik to carry all, and England suporting them, he'll keep free and not joyn. He told me, he feared the loss of nothing but his commission; because, tho' in his marriage contract his father dispones all to him, yet he's never infeft. I showed the folly of that, which surprized him not a litle.

I send this express, because I find, from him, that the Marquis of Tullybardine waits his coming at Blair; and on his ingaging depends the rising, or not, of some of the M'Intoshes, Frazers, M'Kenzies. Killyhuntly has more influence on Clunie than all mankind; for he's been allways led by him. Clunie also complains, that Major M'Kenzie's behaviour to Killyhuntly has disgusted him much, and must be uneasie to Killyhuntly; for the Major huffs him leik a footman; gives him no regular pay, but subsistence; confines him as a suspected person to the town of Inverness; turn'd off some recruits Killyhuntly had attested, and made him lose his money. Clunie said, if he had treat him so, he would throw his commission at his foot, and force him to throw his doublett, or doe worse.

I humbly

I humbly think your Lordship may invite the Major and Kilyhuntly to dinner; put the Major, if a man of sense, on his guard to own his fault; and that it was Killyhuntly's own fault, that took not a proper method to let him have his just character; and your Lodship can easily get Killyhuntly to complain alone, and then introduce it in conversation when together. The use of this is, I know Killyhuntly is a stench revolutioner from his infancy; and I propose, that once his grievances are removed, your Lordship desire him to send to Clunie, and that they meet in as secrett a manner and where Clunie pleases for his own safty. He's just now at a vast uncertainty; but if any alive doe it, Killyhuntly will determine him with the arguments your Lordship can afford him.

The 6,000 Dutch forces landed at Berwick Friday last; and tho' Cope was a fool to engage when he knew it; yett, as all England are for the Protestant interest, their religion, and liberties, all will quickly be put to rights again, if Killyhuntly get Clunie's company, and Clunie one of the independant companies, when the troubles are over. A hint of this kind will settle their passions much; for if Clunie could have an independant company to guard us from thieves, its what I know he desires above all things.

I hear this day from persons come from Edin^r that the Highlanders are to stay there till their other friends come up from the north, and then march all in a body to England. From this, I reckon it good service to retard Clunie's march, or bring him quite over to the King's interest, because so many others wait his motion. For that reason, I presume to trouble your Lodship with this long narrative.

Lord Ogilvie is now march'd with 400 men, and Glenbuckitt, I hear, with 300 men, hardly the third of what they promised.

Sir John Cope's defeat is nothing leik the romantick accounts the other side give of it: it's plain he's a weak man, neither of weight, conduct, or courage fitt for such a charge. The only effect it can have is, to put the Government now on their mettle, to poure in forces from all hands to crush the Highland rebells the quicker; and it may also ruine many an unthinking man, by joining the readyer with the rebells. I think now the Protestants, & our King's friends, should arm on all hands for his Majestie; & I wish your Lordship would write the Duke of Argyle and others on that subject; and if commissions, pay, & arms, be given, the martiall spiritt of our friends will soon change the face of affairs for the King. No cost should be sav'd when all's at stake. Its now easier to find out who are friends, and who are not.

The bearer is a poor honest man. If your Lordship has any commands for the King's friends in the south, he will carry them carefully; and as he has a private way of travelling from this to Inverness without being seen, thro' the hills, and a correspondence may be thus carry'd on by their writeing from the south here, and I shall answer for conveying it sure to your Lordship, I have given him money to bear his charges. If he be to go south, your Lordship may write them to pay him, or I shall doe it.

I am, with great esteem, my Lord,
Your Lordship's most affectionate
& most humble servant,
ALEX^r ROBERTSON.

Inerchraskie,
23^d Septr 1745.

No. CCCCLIII.

No. CCCCLIII.

Sir Alex. Macdonald to the Lord President.

My Lord,

BY a vessel from Kintyre, I find the Highlanders were at Glasgow eight days ago; they have demanded fifteen thousand pounds of that town. No certainty of their numbers; & no word of the Dutch being actually landed, which the people who retired to Kintyre from Glasgow sho'd have known, had they landed any where, five days before their retreat. I have wrote to the Laird, how the commissions are to be filled up: he knows the Gentlemen. It will occur to your Lordship, that the *pas* of the officers, I mean such of them as never served before, sho'd be lotted for; & I take it for granted it will be done. It is quite impossible to raise the men without money, unless it was to follow myself. It is not surpriseing that they are somewhat agog about the adventure of their brother Highlanders; but all care is taken not to encourage their foolish actions. I look'd at the men of this part of the island in parcells, told them, in troublesome times, they ought to be in all readiness possible to do for themselves; & that I did not know how soon the King might demand a levy of men. I expect your Lordship will let me know what levy money the Captains are to have. I refer to the Laird's epistle; being in the state your Lordship is, not very well, but resolved to mend, as I hope you have already done.

I am, with the usual attachment,
My. d^r Lord, yours,

Mugstot, 24th Septr. ALEX^r MACDONALD.

No. CCCCLIV.

The Lord President to the E. of Cromertie.

My Lord, 25 Septr 1745.

I HAVE the honour of your Lo^p's of yesterday's date *. As neither your Lo^p nor my Lord Mac Leod dislike the commission that is proposed, I must confess it gives me very great uneasiness to find that the circumstance your Lo^p mentions occasions any deliberation. Your Lo^p will readily agree with me, that in the execution of the trust committed to me, my chief regard must be to the service; & if what that requires, in circumstantiall matters only, should give your Lo^p offence, or create in you a diffidence of my respect for your Lo^p, it would to me be a very great mortification. I hope your Lo^p will not think so harshly of me; & that, upon considerations such as you mention, you will not suffer ane opurtunity to slip of introduceing the young Lord into a state of life which he seems desireous to pursue; especially at a conjuncture where the nature of the service seems to require that men so well disposed as your Lo^p should not stand upon ceremonie. Let me therefor beg of your Lo^p to consider well what is to be done, & to give your consent to your son's accepting the commission; & I dare assure you, that you and he will find that I am very sincerely, my Lord, your Lo^p's most ob^t & most humble serv^t, &c.

* We do not find this letter in the Collection.

No. CCCCLV.

The Earl of Cromertie to the Lord President.

My Lord,

I HAVE the honour of y^r Lo^p's of the 25th. I cannot help thinking that the circumstances in that commission that is proposed for my son are so singular, that I cannot desire him, nor is it in his own inclination, to accept of it on these terms, as it disables him from doing the service as he would wish; & if he is thought less capable then others, who are offered greater priviledges, it is no less to lay him aside; but he will very soon have the honour of waiting of your Lo^p to returne you his hearty thanks for your kindeness; & I am, with great regard, my Lord,

Y^r Lo^p's most obedient most humble servant,

Tarbat house, 26th Sepr 1745. CROMERTIE.

No. CCCCLVI.

The Marquis of Tweeddale to the Lord President.

My Lord, Whitehall, 1st Octo^r. 1745.

I HAD the honour of your Lordship's of the 13th Sep^tr transmitted to me from Berwick by Sir John Cope; and I have the satisfaction to acquaint you, that his Majesty approves the plan you propose to follow in the distribution of the commissions; which will undoubtedly facilitate the raising of the men in the North Highlands.

The Earl of Stair has, by his Majesty's order, signified to the Earl of Loudoun, that he should forthwith repair to Inverness, to take upon him the command of the troops and garrisons from Inverlochy to Inverness, of the twenty independant companies to be raised, and of all such bodies of men as are or shall be raised for his Majesty's service; and his Lordship is desired to act in every thing with your advice and consent.

It is left to your Lordship and the Earl of Loudoun to concert proper measures for distressing the Highlanders, and for preventing their being joined by others, and in general to do what you shall think most for his Majesty's service, according as occasions may offer, or circumstances may require, either in or out of the countrys where they have been raised.

There are 1,500 stand of arms, with ammunition and proper accoutrements, to be put on board the Saltash sloop of war, which is ordered to sail forthwith to Inverness, and the Captain will take directions from you. Two months subsistence for the troops to be raised has likewise been imprested into George Ross's hands, which he proposes to send in specie by the sloop to Inverness.

The late unhappy defeat of Sir John Cope, as it must occasion the utmost distress in our country, so it gives a very great alarm here; but a very considerable body of troops, with artillery, &c. has already begun to march northward, to be commanded by Marshall Wade; and more of our troops are ordered from Flanders.

I am, with great regard,
My Lord,
Your Lordship's most obedient humble servant,

TWEEDDALE.

No. CCCCLVII.

No. CCCCLVII.

The Lord President to the Marquis of Tweeddale.

My Lord, 3d Octr 1745.

ALL communication by land between this & England having been cut off by the rebells getting possession of Edr, & by the unfortunate action that happened on the 21st Septr near it; I find myself under ane undispensible necessity of trying to convey this by sea, in ane open boat to Berwick, in hopes that from thence it may reach your Lop; & in this attempt, my Lord Lyon's zeal has been very assisting to me. Upon receipt of the commissions, which his Majestie was pleased to trust me with, the disposition of, I wrote to your Lop the 13th Septr, acquainting you with my hopes, that under the favour of these, a considerable body of troops might quickly be got together, which at least must have the effect of preventing any considerable accession to the strength of the Highlanders from this country. But I then told your Lop that towards effecting this, besides arms, which were then expected from Edr Castle, money and credite to feed & pay the men were necessary, & therefor suggested the necessity of sending down some money by a clever arm'd vessel; whereby our force might be put in motion, & credite might be revived, by opening the correspondence; & upon receiving your Lop's letters of the 10th & 12th Septr, which were the latest I had from you, I on the 20th in a letter to your Lop, & ane other to the E. of Stair, renew'd the same suggestion, & explain'd the reasons why the power which your Lop signify'd to me I had of drawing on Mr. Pelham, & on the Paymaster Genll, could be of no service towards furnishing money, unless the communication was keep'd open by such ane arm'd vessel as I have mentioned. But, it would seem, neither of these dispatches have found their way to Londn; as I have heard nothing of the vessel I wrote for, & thereby his Majesties service is in danger of suffering extremely in these parts; which forces me to attempt to put this in your Lop's hand in the manner I have mentioned.

At the date of my last, which was the 20th of Septr; tho' there was no money to bring or keep any number of men together, yet such was the authority of the Gentlemen who were disposed to support the Government, that nobody of any consequence pretended to stir or join the Highlanders who had pass'd the mountains in their way southward; & if those adventurers had not met with some unlook'd for successes the same tranquility would still have prevail'd. But so soon as the rebells had got possession of Edr, & that event was follow'd by the more unexpected success in the action near it, it is not to be conceived with what celerity those incidents blew up the hopes of the unthinking who wish'd for a revolution. The game seem'd to be altogether in their hands; & from caballing, they proceeded to assembling men for the Invader's service. And tho' nobody of consequence is, so far as I know, yet march'd from this side of the mountains, yet severall clusters of people are, so to speak, on wing; &, I am under great apprehensions, may soon fly to the assistance of their successfull brethren, or attempt by force to compell others in this neighbourhood to join them, unless we are speedily enabled to resist, by the means I have so often mentioned.

It may, my Lord, unless you have got my former letters, be surprising to you, that under the favour of the credite which your Lop acquaints me I have upon Mr. Pelham & the Paymaster Genll, no money can be raised; but that surprise will cease when you are told, that bank notes are not, by reason of the present commotion, current; that the little coin that is, is lock'd up; so that the man of best credit in this country cannot command a shilling; that bills on Edr or London are of no value; partly, as no payments

ments are made at Edr; & partly, as there is no secure method of correspondence with either of the places; & this matter is now gone so far, that the bills which the Major of Ld Loudon's Regt. has drawn on Edr for the subsistence of some of the new compys of that regt now at Inns, have return'd protested; so that these compys are in imminent danger of being obliged to disband for want of pay, which they have at present on the private credit of their officers; & how many days that resource may last I cannot say, tho' I have offer'd to support the private credit of these officers with the additional security of mine. And now, my Lord, give me leave to express my very great concern, that so fine a game as has been in our hands should be in danger of being lost, for lack of the supply I have so often mention'd, which might have been very easily sent, & which may still be of very great service, if it come befor it is too late. To me, it seem'd to be of vast consequence, to keep out of the rebellion a greater body of men than those who are hitherto engaged in it; & that I think would certainly have happened, had the supply expected come in due time. It is at present doubtfull whether numbers may not play the fool; but I am still confident, that if this arrives quickly to your Lop's hands, & the necessary orders are without loss of time given upon it, we shall be able still to do good, by preventing a great deal of the mischief that is to be apprehended. It is almost unnecessary to mention to your Lop, what will naturally occurr to yourself, that we can now have no supply of arms from the castle of Edr, so long as the town is in the possession of the Highlanders; & that arms therefor, if we have any quickly, must come from the Tower. The necessity of sending us arms I have mentioned often, because without them the well-affected, who have none, can make no figure. I am hopefull they will be speedily sent us; but the vessel with money & credit, if any such is to be sent, ought not to wait ane hour for that which may carry the arms, because if we had the money we could bring our troops together to receive arms, which might arrive some days later. Besides that, we have seven or eight hundred stand of arms at Fort George, which might be put in the hands of our compys as they might successively arrive. Your Lop will, I hope, overlook any oversight that may be in this long tho' hastily writt letter. You will observe in it a strong concern for his Maj. service. The detail of what I have been doing, or rather endeavouring to do, would be rather troublesome than usefull. All I shall say is, to assure you, in generall, I have left nothing undone that in my judgement might contribute to it; & that I am with perfect respect, my Lord, your Lop's most obt & most humble servt, &c.

No. CCCCLVIII.

The Lord President to the Commanding Officer at Berwick.

Sir, 3d Octr 1745.

THE enclosed letter, for the Secretary of State, is of great consequence to his Majestie's service. As there is no possibility of conveying any thing of this kind with safety by the usuall method, I have ventured it from hence in ane open boat to Berwick; & have presumed to direct it to you, in hopes you will take care it be transmitted in the safest & most expeditious manner to London. By the direction, you will perceive I know not the person to whom I am writeing; & it's very possible you may not, by the writeing, subscription, or seal, know the person that writes to you. I find myself, therefore, obliged to let you know who I am, by telling you that I have the honour to serve his Majestie as President of his Court of Session in Scotland; & that, tho' I am at

present acting not properly in that character, I am doing the best I can, and with some success, the duty of a faithfull subject.

I am, Sir,
Your most humble serv^{t}, &c.

P. S. Be so good, if this come safe to your hand, to give a signification of it in writeing to the bearer; & if you will, by him, let me know what is doing to the southward, from the knowledge of which I am at present lock'd out, it will be very obligeing.

No. CCCCLIX.

Mr George Ross to the Laird of Macleod.

Dear Sir, London, 3rd Octr 1745.

The last letter I had from you was of the 3^{d} September from Dunvegan. The progress the rebells have since made accounts for the interruption of our correspondence. This goes by a sloop, which carrys a quantity of arms, &^{ca} for the troops which I hope in God you and the other well-affected chieftains have enabled our worthy friend Lord President to bring together. By the last intelligence from Berwick, the rebells were about marching southwards, when they must meet with a force of the King's troops that must conquer and destroy them. And the discredit this affair has brought on our unhappy and much deluded country can only be retrieved by the appearance your Highlanders shall make in support of the Government. It is not, I do assure you, to be express'd, the encomiums made on Lord President and all of you for your conduct on this occasion; nor can I help telling you, people make no scruple to reflect on such of our countrymen as have come to this place. Here, it's said, they can be of no use; in their own country they might be of some, were it only to countenance such as show their attachment to the present establishment by remaining quiet.

I am satisfied such measures have of late been taken, that must in a little time quiet these disturbers of the peace; nor will their taking Edinburgh, and their defeat of Cope, have any other end, than that of deluding such as are so blind as not to see that in the end they and their familys will be ruined, and an eternal infamy attend the country.

Tho' the parliament be to meet the 17th of this month, I should, with great submission, think that it would give more satisfaction to the friends of the Government if you stayed with Lord President, and helpt the completing of the 20 companies, and even marching with them southwards, perhaps to the relief of Edin^{r}, than coming up here. Besides, a few weeks must in all human probability make an end of this affair; and then indeed there will be occasion for you in parliament; when there will be a very strict inquiry into the whole of this unhappy affair. I suppose you know that all our troops are ordered home.

Advice is arrived from Admiral Martin, that he had look'd into Brest, but found no force there; and all the coast is so well guarded, that there can be no danger from a foreign landing.

I am, dear Sir, yours,
GEO. ROSS.

No. CCCCLX.

The Lord President to the Marquis of Tweeddale.

My Lord, 8th Octr 1745.

THE 3rd instt I hazarded a letter to your Lop by sea; the substance whereof was, to acquaint you, that till then we were quiet; that the success at Edr & in the action near it, had so warm'd the fancys of the Jacobites of this country, that there was the greatest danger of their playing the fool; that the totall stop to the communication betwixt this country & London put ane end absolutely to all credite; so that it was impossible to find money, to bring the gentlemen who are determined to support the Govt to act, without some clever arm'd vessell is sent down with some money & credite, which may be enlarged by means of such a vessell, because by her the bills that may be given for money here, may be sent to London; that the credite which your Lop acquainted me I had on Mr. Pelham, & on the paymaster genll was of no sort of use without such a vessell; & that as the arms intended for this part of the country were now lock'd up in the castle of Edr, if the Goverm't expect any service from the numbers who are disposed to stand by it in this country, arms for that end must be now sent from the Tower; but that the sloop with the money & credite must not wait for the arms, because we have about 800 stand in Ft George to begin with, if we had cash; & that, when that sloop arrives, we shall call the men together to meet the arms that are expected. Whether that dispatch will reach your Lop I cannot tell; but as Sir John Gordon, who will deliver you this, is takeing the occasion of a Dutch ship from Cromerty, to transport himself to some part of England, I have thought it necessary to send by him this notice to your Lop; & to say, that it would be very melancholy if such a force as has been ready in this country for some time should be render'd useless for want of such a vessell as I have so often mention'd, & some money & credite by her; & if to the same accident it should be oweing, that, notwithstanding of all care possible taken, the Highlanders should be able to force numbers from this part of the world to serve them. Hitherto they have had no accession of any consequence from the north since their boasted victory. If we continue neglected, I do not know what may happen. The obstruction of the correspondence, & consequently of credite, is such, that the compys of Ld Loudon's new regt now at Iñis must have disbanded for lack of pay, had I not subsisted some of them out of my pocket, which is at present very light; & the regular troops in garison at Fort George & Fort Augustus will in two weeks be in the like condition; but for a few weeks I will try to subsist them also, in hopes of a speedy relief. The importance of the matter will excuse my importunity; & the bearer's heast will excuse my abruptness, when I add only, that I am, with perfect respect, &c.

No. CCCCLXI.

From Mr. Morison jun. late Provost of Aberdeen, to the Lord President.

My Lord,

THE place you hold under his present Majestie, & the so faithfull pairt your Lop has acted in your high station for the interest of his sacred person, & all that's dear & valuable to Great Brittain at this juncture, makes me presume to trouble you with what follows.

I am just now at some distance from Aberd^{n} & from my famiely, not thinking myself safe to be in the way of those who had used me in so unreasonable odd a manner, as was my fate the 25th past; when, being seized upon by an armed party of Highland-men, was violently forced down to the Cross; and there, with some broad-swords over my head, was obliged to stand till their Proclamation was read; & because I refused to drink a health they proposed, I had a glass of wine spilt down my breast; which was, I acknowledge, making me suffer in a way, next to taking my life, that non could have affected me more. In so farr they gott what they aim'd at; but sure it was no advantage to their cause. It is my great support, that what I underwent on this occasion was for endeavouring to be faithfull in the discharge of my duty in my station, under the present happy establishment, and wch I hope I shall ever esteem it my greatest honour to doe, as Providence shall give me opportunitie. I will take a more convenient time to inform your Lo^{p} of a message being sent them, to qualifie otherways then we had done. In the forenoon they thought fitt to disperse; for my part, I had gone out of town, & almost ever scence have scarce seen my own house.

Your Lo^{p} observes our new councell is chose, but no office-bearers; & we want much to know if that councell will stand; and if it & the old councell can at a convenient time choose the office-bearers, without any new powers from the Crown. I hope your Lo^{p} will give me your thoughts of this matter. There is no news but that it's said the castle of Ed^{r} are now allow'd to get what provisions they want; w^{ch}, no doubt, you'll have sooner acco^{ts} of then we. Depending on an answer from your Lo^{p}, I remain, with the greatest truth,

My Lord,
Your Lo^{p}'s most obed^{t} hu. serv^{tt},

Near Aberd^{n},
10th Octob^{r} 1745.

JAMES MQRISON Junr.

No. CCCCLXII.

The Lord President to the Marquis of Tweeddale.

My Lord, 10th Octr 1745.

WHEN the letter which is herewith enclosed was written, I rely'd upon it that it would have been convey'd to Berwick by the master of ane open boat, with whom I had contracted; but the weather haveing all of a sudden become boisterous, neither he, nor any other master of such a vessell, would undertake the voyage, which obliged me to hire a ship from Inverness, whereof one Hugh Inglis, a very honest man & dutyfull subject, is master, to carry this packet to Berwick or Newcastle, whichever of those parts he can most conveniently reach; there to be delivered to the commanding officer, to be forwarded to your Lo^{p} by land. Since the date of the enclosed, nothing remarkable has happen'd in this neighbourhood; a thousand rumours are flying abroad, & many giddy people are busy endeavouring to raise men, & to perswade them to march & join the rebells; but hitherto nobody of any consequence has moved; nor will they, in all probability, if the arm'd vessell with money and credite come in time. One thing indeed has hapen'd, wch shows the absolute necessity of a speedy supply in the manner propos'd. Bills drawn on Ed^{r} for the subsistence of the officers & the small number of soldiers of Ld Loudon's new levied reg^{t} now at Ins, have returned protested; so that the men are in immediate danger of being obliged to disband for lack of pay; & the regular troops in garrison at Fort George & Fort Augustus

Augustus have acquainted me, that in 2 or 3 weeks they must be in the same condition; the consequence whereof, should the thing happen, is too obvious. To prevent which, I have subsisted, out of my own pocket, such of L.d Loudon's regt whose officers could not upon their private credite find money; & I have acquainted all of them, as well as the officers of the troops in garrison, that I shall make shift to supply them in like manner for some weeks more; but unless what is wanted & expected, I mean the arm'd vessell, come, that relief cannot be long usefull. By Sir John Gordon, of Inver Gordon, who proposes to take his passage on board a Dutch ship from Cromerty, & to be laid on land somewhere on the coast of England, I have written to your Lop to the same purpose. If either that, or this come to your Lop's hands, I hope for a speedy answer. I am, with perfect respect,

My L.

Y. L. m. o. & m. h. s.

P. S.

My Lord,

Since writeing the above, the arrivall of the E. of Loudon, in His Majesty's ship the Glasgow, makes the dispatching the Ins ship (whose dammage & expence I shall make good) unnecessary; as the King's ship will convey the dispatches quicker, & with greater certainty. He has brought down some cash with him; & I have been scrapeing as well as I could some together to prevent the distress, which might have been fatall had no relief come. As we now are possess'd of some coin, we shall as soon as possible begin to draw the Independant Companys together, so far as we have arms for them; & we shall trust to it, that arms will be sent to us from the Tower without loss of time, & that we shall have the sloop of war, so often mentioned by me, with some more money. I have not projected at present to dispose of more than 10 or 11 of the Independant Compys, according to exigencies; &, as experience shall direct, I shall dispose of the remainder, or of some of them. I may err; but I shall be able to give a reason satisfying to myself at the time, for what I may happen to do; & I hope it will be so to His Majesty. I have writt a note to Mr Pelham, referring to what I have said to your Lop.

No. CCCCLXIII.

The Lord President to Lord Fortrose.

My Lord, Culloden, 11th Octr 1745, 9 in the morning.

THE E. of Loudon came the day befor yesterday to Cromertie, & has brought some credit, which will enable us to put the Independant Compys together for the service of the Govt, & for our mutuall protection. What I therfor wish is, that your Lop would give immediate orders, to pick out the men which at first are to compose the compy to which your Lop has named, to be brought together as soon as Fairburn arrives, in order to receive commissions & arms. Here is a report, that Barisdale is gone into Assint, to raise the men of that country, to be join'd to those of Cogeash, &c. who are said to have had orders to be in readyness & to join him; & with those to proceed throw your Lop's land, & to try how many of your Lop's people he can perswade to join him by fair means or foul. I hope this is not true; if it is, it is of the greatest consequence to prevent it. I wish Fairburn were at home: your Lop will let me know when he arrives. As my Lord Cromertie has refused the compy I intended for his son, your Lop will deliberate, & let me know to whom you would have it given.

given. Lord Loudon brings no news besides the arrivall of the 6000 Dutch, & the 10 bat. Brittish, except that 8 batt. & 9 squad. more Brittish were embark'd at Wm Stat before he left Newcastle for the north of England, where he believes they are already landed; that 2000 men are landed at Chester from Ireland; that a great body of troops is marching northwards, under the command of Mar. Wade; that many Dukes & Peers are raiseing troops & reg^ts at their own expence for the service of the Gov^t; & that all the north of England is arming against the Highlanders. I beg to know the truth of the report first mentioned. My compl^ts to Lady Seafort.

I am, most faithfully,

Your Lop's, &c.

No. CCCCLXIV.

The Lord President to Mr Baillie.

Sir, Octr 11, 1745.

I AM at present in such a hurry, that I can only refer to mine to Inverchasly, who will deliver you this. What I would hint to you is shortly this: that zeal & diligence appear now to be more needfull than ever; as so much zeal and diligence is employ'd on the other side to drag men into inevitable destruction; even when men, if they are not blind, must see their game is lost. By the Highlanders loitering at Ed^r, they have given time to the Dutch 6000, & the Brittish 10 batt^ns to land; & 8 batt^ns more Britt. & 9 squad. lay ship'd at William Stat ten days ago for the north of England. 2000 men are landed at Chester from Ireland; & a great body of the troops, horse & foot, that were formerly in England, are in full march northward to be commanded by Gen^ll Wade. By this sketch, which is the case, you will see what a hard wall these fools are rapping their heads ag^st: and yet their diligence, you see, is great in proportion. Therefor, d^r Will, let us be busey, & never doubt of success.

I am sincerely yours, &c.

No. CCCCLXV.

The Lord President to the Laird of Grant.

Dr Sir,

THE pen was at the paper yesterday to have writt you, when my Ld Deskford's arrivall made me conclude it was unnecessary to send you ane express. What I then would have said is, that as my Ld Loudon is come to this country, to command the troops, with means to subsist them, it is necessary that Rothemarchus's comp^y be forthwith brought together, in order to be ready to march to have arms given to the men, & their commissions to the officers, on the first warning; that you take care to have a hundred clever fellows for this service. I do not doubt, neither have I any apprehension, that they will be backward, when they are told that they are not to be obliged to serve longer than the present exigence continues; when, if they think fit, they may be dispens'd with, & the comp^y made up in the ordinary way by listing & attesting. So soon as the men are brought together, upon notice to Ld Loudon, or me, they shall have directions where to come to, to receive their arms, &c. and to be put on the regular establishment for pay; & any expence that may be incurred in the mean time for subsisting them, after they are brought together, shall be made good. As folly occasions great fluctuation in this neighbourhood, tho' it is my present sentiment that the thing

will blow over without much harm, it is my opinion, that you should have your eye upon as many of your people as you can arm, to be ready on any emergence. If they are call'd out, ways & means shall be faln on for their subsistence. I am sorry for the behaviour which is reported of your Urquhart people, so unlike the hearty commands you gave them. I doubt they must be corrected. I should give you the trouble to read our news, but that Ld Deskford will entertain you with them better. My compliments to Lady Marg^t^, & to all your good company. The paper will allow me room only to say, that I am

Yours, &c.

12 Octr 1745, 9 m.

No. CCCCLXVI.

Lord Fortrose to the Lord President.

My Lord,

THE surmise of some young fellows of my name haveing the assurance to attempt raising men for the Highlanders at Edin^r^ prevented my answering your Lordsp's letter sooner. Upon my factor's return I sent expresses to the suspected parts, with orders to the tenants not to stir, under pain of death, without my leave, tho' their respective masters should be imprudent enough to desire them; and they are returned this moment with the people's blessings for my protecting them, and assurances they would doe nothing without my orders: so that henceforward your Lordship need not be concern'd about any idle report from benorth Kesseck.

Lord Macleod's refusall, and some other accidents, will occasion a change in some of the officers of the two companys. I shall send their names to-morrow, with some of themselves; and hope one of the companys will be ready toward twenty hours after the commission is filled.

I am, with great esteem, my dear Lord,

Blaan Castle,
Octr the 13th, 1745.

Your Lordship's faithfull h^le^ serv^t^,
K. MACKENZIE.

No. CCCCLXVII.

The Lord President to Mr Morison, late Provost of Aberdeen.

Sir,

19th Oct^r^, 1745.

THIS morning yours of the 10th inst. was sent to me from Cromertie. The useless, insolent usage you met with at your Cross, & your resolute behaviour, I had formerly heard, & was sufficiently approved of; nor need you doubt that it shall be properly represented in due time. The discontinuance of your election is what you could not help, under the then circumstances; & tho' it is a misfortune to the town, it must be endured, as well as they can, untill a legall remedy can be apply'd; which is no otherwise to be done, but by a warrant from the Crown, either to continue the former Magistrates & Councellors in office, or for a new election. But the remedy, in either of the ways, appears at present unseasonable. The good people must therefor at pres^t^ live in the most neighbourly way they can; as no one, I believe, would choose (tho' the community should by one consent think fit to authorise him) to act. I cannot blame you for keeping yourself as private as you can untill this storm blow over; which I pray may soon happen, with as little loss to this poor country as possible. I am, Sir, sincerely,

Your most ob^t^ & most humble serv^t^, &c.

No. CCCCLXVIII.

Lord Fortrose to the Lord President.

My Lord,

AS all travelling seems now to be at a stop in this country, I can't have the pleasure of waiting on you as I proposed. This is therefore chiefly to enquire how you doe, and to assure your Lordship that you will always find in me a faithfull friend. The attempt upon your house surprized me extremely (the particulars whereof I got from John Rory's son this morning), and is as dirty a trick as ever I heard of, and did not think any gentleman wou'd be capable of doing. As I understand your cattle are taken away, I beg you'l order Tom Sterat to write to Colin, or any body else here, for provisions, as I can be supplied from the Highlands. I am preparing to act upon the defensive, and I suppose will soon be provoked to act upon the offensive. I have sent for a strong party of men to defend my house and overawe the country. None of my Kintail men will be down before Tuesday; but as the river is high, and that I have parties at all the boats, nothing can be attempted. Besides, I shall get reinforcements every day: I have order'd my servant to get at Inverness twelve or twenty p̃d of powder, with a proportionable quantity of shot. If that cannot be bought at Inverness, I must beg you'll write a line to Governor Grant, to give my serv^{t} the powder, as I can doe without the shot. Sanders Campbell, my factor, mett an express of Lovat's going to Macleod; who told Campbell's servant, his business was, to put Macleod in mind of his engagements with his master. However, I do not believe one man will stir from Sky; tho' I am convinced, that some people that are quiet were concerned, and authors of these troubles. Barrisdale is come down from Assint, and was collar'd by one of the Machlauchlans there for offering to force people to rise, and has met with no success there. I had a message from the Mackenzies in Argyleshire, to know what they should doe. Thirty are gone from Lochiel; the rest, being about sixty, are at home. I advized them to stay at home and mind their own business. The Argyleshire man says, there are four men of war on the west coaſt, who threaten the Macleans and neighbourhood with fire and sword if they stir.

I am, with great sincerity and regard,

My dear Lord,

Your Lordship's most affectionately humble servant,

K. MACKENZIE.

Blaan Castle,
Octr 19th, 1745.

No. CCCCLXIX.

Lord Reay to the Lord President.

My Lord,

I HAVE been in so bad a state of health since I had the honour of your Lordship's of the 11th, that I could not attempt to conveen my people, as I was not in case to act the needful on that occasion; but as I am some better, and have now George to assist me, I have ordered them to be here next Friday, when the company will be made up, and they ordered to march forward with all possible dispatch. Your Lordship's compliance as to the subalterns, is very obliging, and some arms for the rest of my people will be acceptable. I'm persuaded we'll all be happy under Earl Loudon's command.

I know

I know not what to say of the barbarous villanous attempt on your Lordship's house and person, save to rejoice that they miss'd their aim. It seems some must appear at last in their own colours. I shall still endeavour to convince your Lordship, that I am with the greatest truth and sincerity,

My Lord,

Your Lordship's most obliged, most humble servant,

Tongue, 19th Octr, 1745. } REAY.

No. CCCCLXX.

The Lord President to the Earl of Sutherland.

My Lord, 20th Octr 1745.

LAST night I had the letter your Lop did me the honour to write me, together with one from Mr Trigge, who extolls your Lop's goodness to him, &, I will say for him, deserves it. I am glad to hear that Barisdale has not met with the success he expected in recruiting in your Lop's neighbourhood. I am informed he has left that country, & come down to the low country without the numbers he look'd for. With us there has been the beginning of some commotions; but how far they will be carry'd I will not take upon me to say: only, whether those that are assembling shall think fit to march southward, or remain where they are, it is necessary that the Compy be without loss of time at Inverness, where arms will be deliver'd to them. Culcairn has orders to march his company as soon as possible, which at farthest will be Tuesday; & that raised for the Master of Ross has the same orders. As your Lop was to review Capn Gun's compy yesterday at Dornoch, I presume they are ready; & if that is the case, your Lop will be so good as to order them streightway to Tain; & from thence, if they come up with the Rosse's, alongst with them to Iñs; & if the Rosse's shall have gone before, to follow them. I apprehend no danger by the way, as Lord Fortrose has assembled some men about Brahan; but should there be any, the compy passing at Inverbrecky, may come to Kessock or Avoch, & from thence by boats to Inverness. But when they are upon their march, if E. of Loudon or I are acquainted by express, they shall have particular directions, according as circumstances at the time may require. I mentioned to your Lop formerly, that they ought to be provided with swords & pistols for the present service, as well as may be; &, if they can, borrow guns, to make them the safer in their march: these shall be return'd when they come to Inś. I shall long to hear from your Lop that the men are upon their march; the messenger that carrys your Lop this will, I hope, bring back accounts that they are. We know nothing from the South, further than your Lop has heard, except that the 8 additional Brittish Battlns that were sent for from Flanders are arrived at Newcastle. My duty to my Lady.

I am, with very great respect,

My Lord,

Your most obt & most humble Servt, &c.

No. CCCCLXXI.

Letter from the Laird of Macleod to the Lord President.

My dear Lord,

IT is easier for you to imagine (by supposing your dearest friend in your situation) than for me to express the different agitations of my mind on hearing of the villainous attempt on your life; I hope God will still preserve it from the treachery of pretended friends, or the open attacks of known enemies. I have a long letter from Lovat about it, protesting his innocence and vast concern, as Stratherick men were the actors. As the post assures me one of the villains was taken, I hope a proper and a full discovery will be made. The attempt, since it misgave, will have no bad effect on the minds of all ranks here, as they have an utter detestation to all such practices. I would gladly hope my letters and messages to Lovat and Mac Intosh were not too late: for the first I am sure they were not, if they can have any effect, and that he was not absolutely determined aforehand; as to the latter, I always doubted, from his own weakness, & the disposition of my cousin and John Shaw.

There never was such dismal weather seen as we have had constantly here; hardly a day that it's possible to stir in any sort of business. However, by the end of next week, Talisker, who has just got a son, will be ready to move, & I will by that time have a body of 300 men so disposed here, that they can move on a day's notice. Sir Alex[r] has sent to Uist for his captain; and I am very hopeful he will be ready as soon as Talisker, or very quickly after. The behaviour of my son's men vexes me to the soul; they were entertained in an outhouse of Lovat's, & sent to the master's rendevous. Sandy M[c]Leod is still here, waiting to see his uncle from Harris; he has made some attempts to raise rebellion against the knight & me here, but with very bad success. The post was stopped and searched by two of Barrisdale's men, but they found nothing, so he passed safe.

I am, with unvariable friendship,
Yours,
NORMAND MACLEOD.

Dunvegan, Oc[r] 23[d], 12 o'clock.

No. CCCCLXXII.

Sir Andrew Mitchell to the Lord President.

My dear Lord, Whitehall, 23[d] Oct[r] 1745.

THE freedom with which I wrote to your Lordship last night makes it unnecessary to desire that my letters may be read by yourself only.

Your goodness will forgive any mistakes I may make at this time, for I am really in the deepest distress. The ruin of my country, and the disgrace and shame to which it is and will continue to be exposed, have affected me to that degree, that I am hardly master of myself. Already every man of our country is looked on as a traitor, as one secretly inclined to the Pretender, and waiting but an opportunity to declare. The guilty and the innocent are confounded together, and the crimes of a few imputed to the whole nation. But I hope your Lop̃ will soon do something to assist your principles, to save your country, and to recover, if possible, it's honour.

M[r] James Gordon, of S[t] Christopher's, a very particular friend of mine, desires me to

to mention his brother Harry to your Lop, in case there is still room to give him a commission in the indepen[t] companies. He tells me he can get men. The young gentleman has a good character, and has made a campaign. If it does not interfere with your Lop's views, the serving this gentleman will much oblige

Your most affectionate

ANDREW MITCHELL.

M[r] Gordon proposes to send his brother to Scotland so soon as he arrives from Flanders.

No. CCCCLXXIII.

The Lord President to the Laird of Mac Leod.

My dear Laird, 24th Oct[r] 1745.

I NEED hardly tell you, that the receipt of your letters & of the knight's were very comfortable to me; partly as they satisfy'd my mind about your health, for which I was under great apprehensions; & partly as the messenger, who came alongst with them, gave evidence to some of my neighbours, that the knight & you had not run stark mad, & that my guess was better than theirs; which, if they have not lost all discretion, may in some degree restore them to their senses. The effect of your message to L. Lt I do not know, as the mess[r] says he appear'd sullen and reserved to him; it is possible he may be more communicative to the young man as he returns. M——sh seems to me rather to be pleased, & has dispatched expresses to some of his tribes that are gather'd & on wing, not to stir, for some days at least. How he will succeed I know not; he certainly would but for one person, whom I love much.

Since the foolish attempt on this place, I have had two letters from my friend Lovat, on two different subjects; the one, that simple story which he disclaims in the strongest & most convinceing manner, expressing the highest detestation; & in that I have agreed with him, & declared my opinion that it has given his Lop much more concern than it has me; the other, the present situation of his family, which gives him the greatest agony; & that is, the mad resolution of his eldest son, who, in spite of all that he has been able to say to him, & in spite of all the good advice which you & Gortuleg have zealously bestow'd upon him, has put himself at the head of the Clan, who are passionately fond of following him, & cannot possibly be restrained by my Lord's authority from following the fortunes of the adventureing Prince; which not only may destroy the master and the family, but bring his own gray hairs with sorrow to the grave. When my Lord wrote this letter, the master had made a sort of muster of the men of the Aird; he had by detachments from them bully'd the Urquhart men, who were on their way marching by the Laird's orders to Strathspey, & forced them to return home. He had pass'd over to Stratherrick, where he was reviewing the posse, & he has since cross'd the Lock to Urquhart, where, in conjunction w[t] Coll[n] Angus M[c]Donell & Barisdale, he is said to have persuaded the Urq[t] men to do what ****** & some other of these Gentlemen wish'd. On this subject, I wrote to my Lord a very serious & at the same time a very friendly letter; laying open the unavoidable consequences of the suspition which the M[r]'s inconsiderate conduct might create, not only to my Lord's family, but to his person, & hopeing that if what I suggested were properly represented to the young man, naturall affection to so indulgent a parent, & filiall reverence, would get the better of his politicall zeal. My Lord has return'd me many

thanks for my good advice; says, he sent my letter to his son to Stratherrick, to be inform'd by Gortuleg; but doubts it will not answer his & my wish r &, indeed, after the master should have received it, he made his trip to cross the Lock to Urq^{t}; but then this happened, in point of time, before my Lord received your message, & when his common answer to the difficulty suggested, from the danger of his person if the clan march'd, was, that he would be carried to Dunvegan, & be shelter'd where his father dy'd. Whether your message may make any alteration in the Master's measures, I cannot take upon me to say. Barisdale was the day before yesterday with him, & I believe may not be far from him still. He made but ane unprosperous recruiteing in Assint & Lochbroom, tho' they say some men have followed him from Cogach.

I had last Saturday a letter from the E. of Cromerty, contradicting the many lies made of him, & assureing me that all the steps taken by him were only to provide men for the service of the Gov^{t}, pursuant to his declaration made to me at Culloden severall weeks ago; which, I told him, I was very glad to hear; & yet I am assured, the Ld Mac Leod was the day before yesterday at Castledownie. Fairburn came straight to Culloden from Carlile Tuesday at noon, without touching at Iñs, in the same disposition in which he parted with us. I sent him that night to Brahan, w^{t}out stoping by the way, & hinted to him what I had the day before heard from Sky. Caber stood in great need of him; his Kintail men will soon be down. The Saltash sloop with some arms [arrived] three days ago in Cromertie; but for lack of wind has not as yet reach'd our road. We have not yet so many as we shall have occasion for, but I shall write for more. Upon Martin's shewing me a note from you, I have advanced Santy 20 guineas, to be apply'd as you hinted. If the carriage to Sky were safe, which it is not, you might have what you want. The independant comp$^{y^s}$ must immediately be put in march, as the rest are assembling & drawing to Iñs. Culcairne's is already there; one of you two must necessarily come with them, and manage them, whilest the other remains to take care of the island; but of that more in my note of the same size to the Knight, for whom this is intended, as that is for you.

I am heartyly the K$^{t's}$ & yours, &c.

No. CCCCLXXIV.

The Lord President to Sir Alex^{r} Mac Donald.

My Dr Knight, 24th Octr 1745.

QUALE sopor fessis in gramine was the effect of your's & the Laird's on me. I had given up the Laird for drown'd, & many fools in this country for lost; because your message did not come sooner; but, for ought I know, the delay has rather had a good than a bad effect; as it may have postponed the execution of rash resolutions in my neighbourhood, untill even their own reports from the South gave them some reason to doubt of that success, which their indiscreet zeal had made them for some time past look upon as certain. The desertion from the Highland army at Ed^{r} they know to be great, & such as they can hardly repair, notw^{t}standing the most dilligent endeavours; which probably is the reason why the camp at Dudiston is broke up, & the people lodged in the suburbs, & the neighbouring villages, to prevent observations on the thinness of their numbers. They see that sort of zeal & unanimity in defence of the Gov^{t} prevail in England, which, I confess, exceeds my expectation, & shuts out all expectation of any insurrection there in favours of their undertakeing; & unless they are resolved absolutely to shut their eyes, they must be convinced

vinced that a very great body of troops is by this time on the border; not composed of such troops as wheel'd without hardly fireing a shot, but of veterans from Flanders, whereof the 2d imbarkation of 8 battns is arrived at Newcastle, as all the rest of the British troops are ordered home, the French having gone into winter quarters in Flanders: & they may easyly guess, by the temper of the English part of this island, that lenity is not to be expected at this time. I pray God it may, & I hope it will be, in the power of such of us, as have upon this occasion shown a favourable disposition to the Govt, to prevent angry resolutions, that might, if the flame were universall, bear hard on the whole of this unhappy country. Fairburne, who left Stirline last Friday, assures me, that Genll Bleakney told him that day he had advice that Mar. Wade had reach'd Berwick; & he also told me, that even upon the road, as he came North, there was desertion from the deserters that they were carrying back to Edr; & particularly that Cluny, who had got no further than Atholl, had lost 50 or 60 men out of his body. I have said to the Laird, in the counterpart of this, that it was necessary the compys should forthwith be put in march for this country; & that one of you should come alongst: the reason is, that we are now bringing the rest of them to Iis, to be a cogent motive with the neighbours to be quiet, & not to ruin themselves. I am at present almost resolv'd to have 2 other compys from Sky; one from you, & ane other from the Laird; & therefor I beg that alongst with the 2 compys who have already got their comns you will, without loseing ane hour more than is necessary, send down 100 men each, together with such officers as you shall think proper to command them, as captns, lieuts, & ensigns, in case it shall be resolved to give the commissions, which I at present think will happen; & in all events, tho' the commissions should not be given them, they shall have arms from the Saltash, which is arrived, to carry back for the defence of the island, which upon the return of the Highlanders may be liable to insults; & the expence of fetching them hither shall be made good, as they shall be subsisted whilest here. Mac Leod complains of want of money, which would be supply'd from hence if the conveyance was safe; but then he spoke of finding cows to support the men on their march, which is ane honest shift, provided they are not taken, according to the practice of this neighbourhood, from other people without value; & the expence shall be made good when the men come hither, should what I now desire be comply'd with. You see, my dear Knight, the absolute necessity there is for one of you to come hither, with so large a body of men, to preserve them from the infection of the villanous lyes & fictions by which our zealots are dayly tempting our people to desert; whilst the other stays in Sky, to give the people directions, & to keep the proper countenance in that country. Since writeing, Loudon has come in to me; & as he approves of what I told you I had almost resolved on, I now tell you, that commissions shall be given to these two additionall independent compys when they come to Iis; so that you & the Laird may appoint the officers, & give them their titles, as if their commissions were in their pockets. When I write next, I shall say somewhat about the men of war on your coast. I shall then direct for you, supposeing the Laird to become off. My hearty good wishes to Ly Margt.

I am intirely your's, &c.

No. CCCCLXXV.

No. CCCCLXXV.

The Lord President to the Laird of Pitcalnie.

Dear Sir, 25th Octr 1745.

I NEVER was more astonish'd, & but seldom more afflicted, in my life, than I was when I heard of the madness of your son. I cannot conceive by what magick he has been prevail'd on to forfeit utterly his own honour; in a signall manner to affront & dishonour me, whom you made answerable for him; to risk a halter, which, if he do not succeed, must be his doom, without any other tryall than that of a court martial; & to break the heart of an indulgent father, as you are; which, I am perswaded, must be the case, unless he is reclaim'd: the villains who seduced him, profiting of his tender years, & want of experience, tho' I hope I am a Christian, I never will forgive; tho' him I will, if he return quickly to his duty, without committing further folly. But if, trusting to indulgence on account of our relation, he persist in the course in which I am told he is at present engaged, I think it is but fair to declare to you, in the most solemn manner, that the very relation & connection, to which he may trust, will determine me to pursue him with the utmost rigour to that end which his conduct will most undoubtedly deserve; & when I have said this, I can take God to witness, that he is the only person concern'd in the present unhappy commotions, for whom my heart would not lead me to be a solicitor, when things have the issue which I believe they will soon have. In justice & friendship to you, & in hopes he may repent before it is too late, I give you the trouble of this letter; and have desired your friend Mr Baillie to deliver it to you; not doubting that, to save a son, & to prevent my dishonour, you will do all that is in your power.

I am, dear Sir,
under great concern,
Your most obt & most hum. Servt.

No. CCCCLXXVI.

Lord Deskfoord to the Lord President.

My Lord,

Mr GRANT having been informed, that the Frasers were to set out upon their march on Wednesday last, & to take this road south, had assembled on Thursday a good number of his clan near Inverleyden, in order to guard the passes through this country. When he was there, he received your Lordship's letter, desireing him to send down the company to Inverness; but tho' he had been at a good deal of pains in speaking to severals of his men in this country before, the company was by no means compleat; they being unwilling to engage in that manner for fear of being retained afterwards, contrary to their inclinations; and likewise inclining not to be out of their country, except with their Chief, at this time, when they apprehended there might be use for them for the defence of their familys and effects. To-day I went up to Auchterblair, to see the men that Mr Grant had brought together; when he begged me, as soon as I should return to Castle Grant this night, to write to your Lordship to offer his most humble respects to you and my Lord Loudon; & to inform you, that as he had not been able to compleat his company intirely of volunteers, as he proposed, & that

he did not incline to use any force at this time, for fear of disgusting his people, he had taken the resolution which all the people with him approved of, of marching down himself to-morrow to Inverness, and carrying along with him those he had then assembled together, in order to offer all their services to the Government, in such manner as your Lordship and my Lord Loudon should there concert with him. As far as I could judge by my eye, the number of people with Mr Grant were between four and five hundred; and I know he can, out of his own estates, & those of his friends in this country, command some hundreds more, if the Government should have use for them. He proposes, likewise, before he returns to Strathspey, to go with a party of his people to Urquhart, in order to prevent any more of the people of that country being forced out upon the other side, contrary to their inclinations & their duty to him: He desires me likewise to beg, in his name, the favour of your Lordship to communicate this resolution of his to my Lord Loudon and the Major; & to beg that you would be so good as to give such directions as you shall think proper for billeting & quartering his men in the town, when they come there to-morrow night. My Lord Findlater begs leave to offer his respects to your Lordship & my Lord Loudon.

I am, with the most sincere respect,
My Lord,
Your Lordship's most obed^t^ & most humble Ser^t^,
DESKFOORD.

Castle Grant,
Octr 25th, 1745.

No. CCCCLXXVII.

The Lord President to Lord Deskfoord.

My Lord, Octr 26, 1745.

BY ten this morning your messenger arrived at this place. I immediately dispatched your Lo^p^'s letter to E. Loudon; who came hither on the receipt of it this moment, after leaving directions in town for accomodating the men the best they can, if they all come. I wish with all my heart, & so does L. Loudon, that Mr. Grant had communicated his design to us before he set out with such numbers, which may have the effect to begin horse-play before we are sufficiently prepared; however, since he is in the way, & has given no notice of his route, I cannot tell how, even if it were necessary, to prevent it; & we must now do the best we can. It appears to me to be unaccountable folly in the people, that they deliberate on entering into the comp^y^, since they are not to be bound further than the present service; & therfore I should hope they may be prevail'd furthwith to form it. As your messenger presses to be dispatch'd, I add no more, but my compliments to the Ladys & to my Lord Findlater.

I am perfectly your Lo^p^'s, &c.

No. CCCCLXXVIII.

The Laird of Grant to the Lord President.

My d^r^ Lord, Inverlaiden, Octr 26th, 1745.

I HAD the honor of your Lordship's of the 24th, and would have writt you sooner, but the reports I had brought me from Urquhart, that the Frasers, and a large bodie from other clans, were to join some of the tribes of the Clanchattan, and were to march as last Thursday from Strathurn through this country, made me think it proper to conveen all

all the men, and to keep in a bodie in the braes of the countrie, where I have been since Wednesday. This day I proposed to have marched to relieve the poor tenants of Urquhart, who have been most scandallouslie used; but just now I have ane express from that countrie, informing me that the Macdonells & Frasers have left the countrie, after carrying about fortie of the men with them. This day Rother's companie shall be compleated, and will be at Inverness Tuesday or Wednesday at farthest: for the men, who have been all here since Wednesday, will require a day or two at home to gett readie. I beg my compliments to the Earl of Loudown; and I ever am, my d^r Lord, most faithfullie your Lordship's while

LUD. GRANT.

No. CCCCLXXIX.

The Lord President to the Earl of Sutherland.

My Lord, 26th Octr 1745.

YOUR trusty serv^t Anderson has been here. It is a great satisfaction to me, that your comp^y, notwithstanding the distance, & the difficulty of the passage, has been here earlyer than any of those that have been call'd for, except Culcairn's, which was just at hand; but zeal like your Lop's will do many things. I acquainted your Lop formerly, that if any commissions more were to be given out, your Lop should have the nomination of the officers of another comp^y; and now I take the liberty to suggest to you, that this will happen. What I therefor beg of your Lop is, that you would, without loss of time, & as prudently as may be, resolve upon Captn, Lieu^t, & Ensign, such as you think fittest, & name them to me at once, without leaveing room for teaseing yourself or me further; & that you would give out the proper directions immediately for makeing up their comp^y. If I do not mistake it, you seem'd to favour a bro^r of Kinminity's, who is a relation of your own, & of whom I hear a very good character. If your Lop continues in the same oppinion, let me know. The arms which your Lop sent with the men are return'd with Mr Anderson. The sloop of war has carry'd no more arms than for the comp^y. I shall write immediately for more; when they come, your people shall be provided. I desired Major Mackay to tell your Lop, that any dispatches you have for London, if they come within 3 days, shall be transmitted. My duty to my Lady.

I am with perfect respect,
my very good Lord,
Yours, &c.

Thanks for your goodness to Mr Trigge.

No. CCCCLXXX.

Lord Sutherland to the Lord President.

My Lord,

THE bearer is in his way to London. I have sent him thither with letters to the Dukes of Argyle and Newcastle, and others of the Ministry of State, wherein I apply for a certain commission. Your Lop will know what it is, from the memorials which Mr Gillchrist will show you. Shall I hope your Lop will be so good to second my application, by writing to some of your friends who have most interest at Court? I will

will hope this, my Lord, since what I propose is so manifestly expedient for the service of our King and Country in the present conjuncture, and will be an effectuall measure for keeping the North Highlands in better order for the future.

The bearer, Mr James Gilchrist, Minister of Thurso, has made some discoveries relating to this rebellion, both before and after it broke out. Your Loꝑ may entirely rely on his veracity in answering any questions he is ask'd, either on that or any other subject. It would be absolutely unsafe for him to return any more to Caithness. I shall hope your Loꝑ will interpose your good offices, that something may be got done for him; since it were extream hard he should meet with nothing but ruin to himself and numerous family, for doing his duty to his King & Country. Will your Loꝑ recommend him to the Captain of the Saltash sloop, by which I want he should take his passage?

I am, with great regard,
My Lord,
Your Loꝑ's much oblig'd & most obedient Servant,
SUTHERLAND.

Dunrobin, 26th Octr 1745.

No. CCCCLXXXI.

The Lord President to the Laird of Grant.

Dr Sir, Octr 27, 1745.

UPON Ld Deskfoord's letter of the 25th, quarters were prepared last night at Iñs. for the 500 men he spoke of; and E. Loudon waited there to receive them, untill I sent him your letter of the 26th (which came to his hands before eight o'clock), acquainting him that you had altered your resolution. I am not sorry that the whole number did not then come, as no plan had been concerted for the disposition of them; but I am under some concern that so many of them as were proper for composeing Rothie's compy did not come, because those were expected some time ago, & the compy from Sutherland arrived the night before the last. What I therefore send you back this messenger for, is, to beg that Rothie's compy may march without loseing a moment; because we have rely'd upon them; & the example to others will be bad, if they, who were rely'd on, should prove dilatory. The oppression of your Urquhart people, I am affraid continues still; & there may, for ought I know, be occasion to march a considerable body to relieve them from it; but that in due time may be concerted properly & executed, tho' it ought not to hinder the immediate march of the compy, who, in all events, will be so far in their way. I offer my compliments to Ly Margt & the rest of your good company; & am with great respect,

Dr Sir,
Your most obt & most humble Servt, &c.

No. CCCCLXXXII.

Lord Fortrose to the Lord President.

My Lord,

I HAVE obey'd your directions about the Sky post; he will be safely conveyed to the sea side. If I had heard any thing worth notice, your Lordship would have heard from me sooner. I return thanks for what you wrot to Farrintosh; however, as the

men I have just now here are arm'd, I fancy none will offer to attack my house, tho' prudence requires one to be on the guard. Lord Cromertie, his son, Macculloch of Glestulich, and Ardloch's Br, came here Fryday. It was as unexpected a visitt as I have receiv'd for some time. As I did not like to turn him out of my house, he stay'd here, but seem'd very pensive and dull. However, if I had known then what I doe now, I would have been uncivill to some of the company by makeing them prisoners; for Ld Macleod went yesterday to Lochbroom to endeavour to get men, and I suppose will go to Assint. Inclos'd your Lordship has a list of the officers' names belonging to the two companies. I offered them to Coul and Redcastle, but neither of them could be prevailed on to accept; so I gave it to one I will answer for. It was from Coul's house Lord Macleod went to Lochbroom, which vexed me. However, I shall remember all these things when the troubles are over. If I had been Sheriff of the county, I fancy it would have authorized me to doe several things which I have not a pretence to doe at present.

I am, with great regard,
My Dr Lord,
Your Lordship's most affectionate humble Servant,
K. MACKENZIE.

Braan Castle,
Oct. ye 28th, 1745.

P. S. My intelligence is very bad, as few come here.

No. CCCCLXXXIII.

Mr. Baillie to the Lord President.

My Lord,

I WAS wth Pitcalny on Saturday, & brought wth me Mr. Ross of Calrossie, a gentleman who is a near relation of Pitcalnie's, & has a good dale to say wth him; and we both expostulat wh him on the subject of your Lop's letter, which I had the honor of delivering.

Hee seems to me to be in the deepest sorrow & concern on acco[t] of his son's behaviour; & engaged in the strongest manner to use all endeavours to get him back to his duty, & accept of that pardon & forgiveness which your Lordp promises in case he repent immediatlie. He wrote him a letter at my sight, and sent a friend with it to find his son, & bring him back wherever he found him; but if the young Peer in your nybourhood do not also repent and stay at home, I am afraid they will both go together; and that, I think, is the only chance against Mr. Ross his returning to his duty.

I do not find that any of our people follow'd him, except two or three sillie fellows; & that must bring down the poor boy's spirits as to chiftanry, & make the other people see they made no great gaine by this proselite, & consequently that they will put little value upon him; which consideration will, I hope, occurr to the young man himself, & help to open his tender eyes & understanding. I thought to bring the people together againe this week, but cannot attempt it at this time; because they have now a further pretence than formerly; being informed, & not without foundation, that a great number of men from Inverness-shire are on their road, first to Assint, & then to this country, in order to raise men, & distress us every other way; and all up and down here are in a terrible consternation, & know not what to do. I have intelligence that 400 is design'd for this expedition; and if there is no more, I hope wee shall be able to give some account of them, even tho' wee are but ill-appointed for arms & amunition. But as

wee are better acquaint in the countrie, we may have the benefit of some passes throu' wch they must go, & distress them that way.

They are greatly alarmed in Sutherland; but I have pretty sure accõtts they are not to go that way; and if they shou'd attempt it, I really believe there is no man of them will ever return to tell his friends the fate of the rest. Whenever I have certain accõtts of their arriveing, will give your Loꝑ the trouble of ane other leter; and if it was possible in the mean time to give us some guns, they wou'd do great service in case those people come upon us.

The Mr of Rosse is come to London, & no doubt will soon be in Scotland. I have the honor of being, with the greatest respect,

My Lord,

Your Lordship's most obedt and most faithful servt

WILL. BAILLIE.

Ardmore,
28th Octr 1745.

No. CCCCLXXXIV.

The Lord President to Lord Fortrose.

My dear Lord, 28 Octr 1745.

I HAVE the honour of your Loꝑ's of this day's date. If I sent you, by the way of Ferintosh yesterday, a groundless message, you will impute it to that care, which is at least as much concern'd about you as it is about myself. The notice I had was the effect of a deliberation which was said for half a day to have been concluded on; tho' I have since heard, upon better adviseing, it was given up. As you are prepared, nothing probably will disturb you. What you write of the young Lord's march to the northward surprises me, considering what I can show you when I have the honour to see you; but we live in a strange world. I hope, however, your Loꝑ will give the proper directions, that no man, who may be forced from the northward, will find their passage to the southward to affront you & encourage your foes: in a very little time, we shall be able to speak to the unhappy people who would disturb us, in another stile; but I hope we shall do it gently. I am obliged to your Loꝑ for the escort you was so good as to give to the Sky post at my request; & I hope you will give such another to him who is to go off to-morrow or next day; for I depend upon it, that the two lairds of that country will conform to our views in ev'ry particular, which will make us very easy. I have the note you sent me for the officers of the 2 Independant Compys, which shall be fill'd up in the commissions accordingly, without any further consideration but that you judge it right. The sooner they can be sent hither to be arm'd, & to receive their commissions, it is so much the better. I am perswaded it would terribly stagger the resolutions of some of your neighbours. As it is not fit for me, as things now are, to go to Brahan, nor for your Loꝑ to come hither, I very much wish you would send me over Sandy of Fairburn for ane hour to-morrow, if it may be, or next day, or in short as soon as possible; because by him a plan may be proposed to your Loꝑ for your approbation of our operation, better than can be concerted in this pen & ink way. The advance of the troops towards Edr discourages some of our neighbours; & now is the time to do that service that will be attended with the least mischief, because it may prevent it. They were a little while ago cock-a-hoop with the news of the landing of much treasure & of E. Marishall at Montrose; but now that they are told the cash was but a trifle, & that the other story was a flat lye, as indeed there never was any reason

to believe it, they begin to look simple. I think it would be right to assemble still more men about Brahan than you now have: the expence shall be made good; & it will tend to make Caberfoy respectable, & to discourage folly among your neighbours. It's much if your Lop has read this confused scrawl; but you must excuse it, as it comes from a sincere friend. My duty to my Lady.

I am truely yours, &c.

No. CCCCLXXXV.

The Lord President to Lord Lovat.

My Lord, Inverness, Oct. 29, 1745.

AS I have now the honour of being charg'd with the public affairs in this part of the kingdom, I can no longer remain a spectator of your lordship's conduct, and see the double game you have play'd for some time past, without betraying the trust reposed in me, and at once risquing my reputation, and the fidelity I owe to his majesty as a good subject. Your lordship's actions now discover evidently your inclinations, and leave us no further in the dark about what side you are to choose in the present unhappy insurrection: you have now so far pull'd off the mask, that we can see the mark you aim at; tho', on former occasions, you have had the skill and address to disguise your intentions in matters of far less importance. And, indeed, methinks a little more of your lordship's wonted artifice would not have been amiss, whatever had been your private sentiments with respect to this unnatural rebellion. You shou'd, my lord, have duly considered and estimated the advantages that would arise to your lordship from its success, and ballanced them with the risques you run if it should happen to miscarry; and above all things you ought to have consulted your own safety, and allow'd that the chief place in your system of politics; which, I persuade myself, would have induc'd your lordship to have play'd the game after quite a different manner, and with a much greater degree of caution and policy. But so far has your lordship been from acting with your ordinary finesse and circumspection on this occasion, that you sent away your son and the best part of your clan to join the Pretender, with as little concern as if no danger had attended such a step: I say, sent them away; for we are not to imagine they went of themselves, or would have ventured to take arms without your lordship's concurrence and approbation: this, however, you are pretty sure can't be easily prov'd, which, I believe indeed, may be true. But I can't think it will be a difficult matter to make it appear, that the whole strain of your lordship's conversation in every company where you have appeared, since the Pretender's arrival, has tended to pervert the minds of his majesty's subjects, and seduce them from their allegiance: and give me leave to tell you, my lord, even this falls under the construction of treason, and is no less liable to punishment than open rebellion; as I am afraid your lordship will find, when once this insurrection is crush'd, and the government at leisure to examine into the affair. And I am sorry to tell you, my lord, that I could sooner undertake to plead the cause of any one of those unhappy gentlemen, who are just now actually in arms against his majesty, and I could say more in defence of their conduct, than I could in defence of your lordship's. The Duke of Perth and Lord Ogilvy never qualify'd, nor did they ever receive the smallest favour from the present Government; but, on the contrary, were both stripp'd of their titles and honours, and from men of the first quality reduced to the state of private gentlemen, since the revolution, and may both be supposed to act from a principle of resentment, and only took up arms to recover what they thought themselves unjustly depriv'd of. Lord George Murray never had any

place

place or pension from the public, and was, no doubt, drawn in by the influence of the Marquis of Tullibardin; perhaps, touch'd with pity and commiseration for his eldest brother, who has spent the best part of his life in exile, and undoubtedly upon an allowance much inferior to his dignity. These, and such like apologies, may be offer'd in defence of most of the leading men in the present rebellion; but what shall I say in favour of you, my lord? You, who have flourish'd under the present happy establishment? You, who, in the beginning of your days, forfeited both your life and fortune, and yet, by the benignity of the Government, was not only indulg'd the liberty of living at home, but even restor'd to all you could lay claim to: nay, his majesty's goodness went so far as to employ your lordship in his service, and was pleased to honour you with the command of one of the independent companies that were raised some years ago in the Highlands, which you enjoy'd for a very long time: so that both duty and gratitude ought to have influenced your lordship's conduct, at this critical juncture, and disposed you to have acted a part quite different from what you have done. But there are some men whom no duty can bind, nor no favour can oblige; and, I'm afraid, if a timely repentance don't prevent it, your lordship will, not unjustly, be rank'd among that number*. You now see, my lord, how unanimous the people of England are against the Pretender, and what forces they are mustering up to oppose him. The king has ordered home his troops; several noblemen have raised regiments at their own expences; and every county and corporation throughout the kingdom are entering into associations in defence of the present establishment: so that these few unhappy gentlemen who are engaged in this rebellion, will have armies after armies to encounter; and if your lordship entertains any hopes of their success, you'll find your mistake, when 'tis too late to amend it. What I would therefore propose to your lordship, as the only expedient left to rescue you from the hazard of a rigorous prosecution, is, to recall your son and his men immediately. This step, I'm persuaded, would produce several good consequences; for, on the one hand, it would prevent numbers from joining the rebels, who now hang in suspence, and, on the other, occasion a great many of those already engaged to desert and retire to their respective habitations, and, perhaps, may be the means of crushing the rebellion without further bloodshed, which would do your lordship a great deal of honour; and such a remarkable piece of service would be amply rewarded by the Government. If you shall judge it proper, my lord, to follow this

* What the Lord President here alludes to, are, doubtless, some particulars in the earlier part of the life of Lord Lovat which are related (certainly by some writer not friendly to this unfortunate Nobleman) in "Memoires de la Vie du Lord Lovat," &c. printed at Amsterdam, 12mo 1747; and of which the following is a brief abstract:—In the year 1692 he had the title of Captain Fraser in Lord Tullibardine's regiment; but resigned, to prosecute his claim to be chief of the Frasers; and in order to it, laid a scheme to get the heiress of Lovat; who in 1694, being about to marry Lord Salton's son, he by his armed clan seized him and his company, and, erecting a gibbet, induced father and son to relinquish the contract. But not being able to come at the young lady, in 1695 he seized lady dowager Lovat, in her house, caused a person to marry them against her consent, and, cutting her stays open with his dirk, his Highland lads tore off her cloaths, put her to bed, and were witnesses to the consummation. Soon after, he was, though absent, tried and condemned for a rape on this lady, and for treason in opposing the laws with an armed force, and out-lawed. But though this latter K. William was prevailed on to pardon, he thought proper to fly to France for the former; where, ingratiating himself with K. James, and turning papist, he got a commission; and in 1702, some money from the French king to raise a party in Scotland. But not having credit to do it, and having had a meeting with a minister of state in London, on his return to France, he was put in the Bastile. There he lay several years, and, to get out, took priest's orders; he acted afterwards as a Jesuit priest at St. Omer's, till about 1715; when coming over, and taking a contrary part, he assisted in seizing Inverness from the rebels, and at last got the title of Lovat, a Highland company, and many great favours conferred on him.—*S. J.*

advice,

advice, it will give me a great deal of pleasure; as it will contribute to stop the progress of an unhappy civil war, that threatens us with endless calamities; but if your lordship continues obstinate, and will not order your men to disband and return home, I shall be obliged to take you into custody, be the event what it will: and then your lordship will run the risque of having your family extirpate, as well as other of the Highland chiefs, when the rebellion is once quelled. Now, my lord, I have told your lordship my sentiments pretty freely, and no less out of friendship to your lordship than duty to the public. I might have advanc'd many other arguments, to induce your lordship to follow my advice; but, methinks, what I have already said is sufficient; and so I shall only further add, that I am, My Lord,

Yours, &c.*

No. CCCCLXXXVI.

The Lord President to the Laird of Mac Leod.

My dear Laird, 29th Octr 1745.

I HAVE both your larger & your lesser Epistle of the 23d. The effect of the declaration by Balmanach, on Lovat, I doubt the lad did not tell me as it really was, by some things which I have learnt since; & in his return he stay'd two full days at Castledownie, where were Barisdale, Kinlochmoidart, who came north from the P. as he said, for Lovat & you, &c. Coll Mac Donald, that is, Glengary's second son, & severall oyrs; & doubtless, he can & will tell you all he knows, tho' he was reserved to me; wherefor to him I must refer you for all intelligence from that quarter, & particularly for the history of Pitcalny's son, my grand nephew, for whom I lately procured a commn in Ld Loudon's Regt, but whom they seem to have debauch'd into the Young Gentleman's service, in hopes that, being the male heir of the Balnagowan family, he will be follow'd by the Rosses, & so recover the estate; as Ld Lovat did formerly, by espouseing the cause of the Royal family now reigning. He most certainly knows what they said about this operation, & will doubtless open it to you, from whom I expect to hear of it. In Lovat's correspondence & mine, which began after the attack made upon me, he blames, as I told you in my last, his son's obstinacy; & I have heartily given him a great deal of good advice. I in particular, after he had received your message, wrote him a strong letter, which he took three days to answer: He still says his son is inflexible, but is to make further tryalls to divert him from his madness. He tells me, he has prevail'd upon him to deny assistance of men to Barisdale, to revenge himself of some affronts he met with in Assint, of which Balmanach can give you a more perfect acct; & he presses me still earnestly to give him further advice; saying, that his son will not move for this week. I have return'd him the best advice I possibly could, still in the supposall that the fault is in his son; but suggesting the consequence to himself, which I really dread, if his son shall be permitted to play the fool. What answer I shall have I know not, neither do I know what he has said to Kinlochmoidart, &c. of which you will be undoubtedly satisfy'd in the way I have already suggested; but it is my own opinion, that he will not be hasty to declare finally either way, which in certain events may be attended with consequences for which I shall be sorry. With respect to our friend Macintosh, I am really under

* Lord Lovat's answer to this letter will be found in p. 238.

great

great concern; the zeal of some people has caused Downie, Gillis, Mac Bean, Lochie, Macintosh, & some others, not exceeding 200, actually to march, much against the Laird's inclinations. They were yesterday morning still about Donachton, & Rates in Badenoch; how far further they are gone I know not; but their kinsmen at home speak as if they took it very ill that Lovat's people are not yet march'd. The Laird of Grant is very wroth at the invasion which Balmanach will tell you the Mr of Lovat, Collll Mac Donell, Barisdale, &c. made on his people of Urquhart. He gather'd last Saturday 500 men together near Dalrachny's to march, as he intended to revenge himself of that personall injury, which to be sure it is in his power to do on Strather-rick, which ——— prevents the succouring; but he has laid that design aside for some time, haveing been inform'd that the design of pressing his men was dropp'd. What he will do when it is resumed I do not know. Caberfoy has got a body of men from Kintail, Lochcarron, &c. about his house, which keeps some of his neighbours in order, & may be ye true reason why the design of marching into Assint was laid aside; he gave an escort to your last post, & I intend to be gone from him to this, which seems to be necessary so long as Barisdale hovers near this country. I have ask'd the favour of Seafort, that he will send me over Fairburn for ane hour or two; when he comes, I shall know more than I now do. In my last brewes to you and the knight, which I am confident came safe to your hands, I desired the immediate march of the two compys for which you carry'd the commissions, and of two more for which I shall issue the commissions; & I press'd that one or other of you should come alongst. I in my conscience think, that measure will determine severall of our neighbours to save themselves; & that the appearance which we may make is the only means left to prevent the harsh measures that may be push'd against our country; & what determines me more than ever to think the presence of one of you here necessary, is, the industry I see stirring amongst the weak politicians of this neighbourhood, to debauch both officers & private men; and the disposition of some of those you trust (if the suspition I have already insinuated be just) to favour the cause which we are engaged to oppose. For those considerations, both officers & private men must be strongly indoctrinated before they leave home; & some one, who has authority over them, must necessarily come alongst with them. What the burden may be of the express which Lovat sent you ten days ago, I cannot tell; but he gives it out he has still some hopes from your answer. If he inform'd you that great quantitys of arms, or large sums of money, came by the ship that landed at Montrose, he has been misled; for I have been assured, the arms did not exceed 1,500, nor the money half as many thousands. Another vessel got in to Stonehive with some arms, but without money; &. one from Spain, with arms & money, is by a privateer carry'd into Bristol. There is a supplement directed to ye Kt. Farewell.

No. CCCCLXXXVII.

The Lord President to Mr Wm Baillie.

Sir, 30 Octr 1745.

THIS morning I had your's, together with a letter from Pitcalnie, both dated the 28th. I truely compassionate poor Pitcalnie's case; but if his son shall, after what has been said to him, persist in his course, he will discover that degree of obstinacy & perverseness which will soon cancell that concern for him that has hitherto possess'd my mind, & suffer resentment & just indignation to take its place. I do not wonder that the lye that was propagated and believed here, that a body of men from this county were

were to visit you & punish Assint, should give your people the alarm; but now, that all apprehensions from that project is over, my friend L——t haveing, as he assures me, resisted it, I should hope there can be no difficulty of bringing the comp^{y} together. For let them have what hankering they think fit after what they may look upon as the heir male of their kindred, if they are not themselves jacobits, which I have been assured they are not, I should think it would be easie to create in them ane aversion to the courses of this young man, & to lead them to oppose rather than forward them; considering especially, that it is impossible that their present master can look with indifference on their conduct at this juncture, or abstain from rewarding & punishing accordingly; & if I guess right in this I hope you will lose no time, but furthwith set about getting the men, that they may be at Iris as soon as possible; & what encresses my earnestness on this article is, the desire I have to signify the readyness of the Rosses in the first letters I write to London, which will be by the vessell that brought doun the arms; & she will probably sail by the end of this, or beginning of next week. The only trouble you can now meet with to the northward, is from a young man who is said to have lately gone to Coigach, & for whose course I am heartyly grieved. I hope, however, he will not on his own bottom be able to do you much harm; & it is obvious enough, & may be made so to your people, who may entertain any apprehension of invasion from this shire, that the haveing a sufficient force at Inverness, which we are soon likely to have, is the easyest & most naturall way of rendering them secure. Make my compliments to Inverchasly, & show him this; as the hurry in which I am, prevents my writeing to him. Except a very few of the Clanchattan, none have as yet stirr'd from this country, & they had not left Badenoch last Monday. I desire to hear from you again as quickly as is possible, & am, d^{r} Will, yours, &c.

No. CCCCLXXXVIII.

Lord Fortrose to the Lord President.

My Lord,

AS Ferburn is the bearer of this, he will inform your Lordship of all I know, which is very little. I wish you wou'd give him his commission (for a certain reason), and tell him you expect his company will be compleat at Inverness this week, and that I promised you to have them both there before that time. In my little sphere I have as great reason as most people to cry out O Tempora, O Mores! Some want resolution, others honour, and some free of both.

I am, with perfect esteem,
My d^{r} Lord,
Your Lordship's most affectionate humble servantt,

Braan Castle,
Octr 30th 1745.

K. MACKENZIE.

No. CCCCLXXXIX.

The Lord President to Genzies.

Dr Sir, Novr 2d, 1745.

THE Doctor shew'd me your's of the 31st Oct^{r}, & this evening your serv^{t} brought me your's of this day's date. I write this answer this night, that your serv^{t} may get away so soon as the gates are open in the morning. I begin with assureing you, that I am sensible of your good will towards me, & that the Gover^{t} is very much obliged to you for

for the successfull care you have hitherto taken, to prevent the Assint men's falling a prey to the disturbers of the Government, or incressing their army. The reports which in your's to the doctor you say you heard, were current here; six score Macdonalds with Barisdale at their head, supported by a larger body from my neighbour to the northward, were to have march'd the beginning of this week, to force not only Assint, but Balnagown's highlands to rise, & to destroy every one that presumed to resist; but that design, if ever seriously resolved, is lay'd aside: the Macdonalds are march'd southwards; all Lovat's people are at home; Barisdale, with a few servts only, is with him; & Ld Macleod only is gone into Lochbroom & Coigach, with what intent I do not presume to say; so that I am hopefull the men of Assint will be able to defend themselves, at least make their retreat good, should they be press'd; & they may depend on protection should they come this length. I cannot answer for the folly in some, or lethargy in others, that gives such scope to the play of those who would disturb their peace. Were all your neighbours, who pretend to be for liberty, hearty, we should make another figure at present than we do; but rumors & distrust prevail; & it is in such times that a man is known & valuable. Should your friends in Assint be press'd beyond what they can resist (which, for the reasons I have mention'd, I hope will not be the case), if you can conduct them safely hither, they shall not only be protected, but their expence shall be borne; & it is not impossible but some further use may be made of such as are able & willing to serve; but this only as you shall approve or direct. The intelligence which you have had has reach'd Inverchasly & Mr Baillie, & prevented the bringing together the Mr of Ross's compy. I hope they will fall about it when they discover the falsehood of these rumors; & I doubt not you will be as helpfull to them as you can, as I dare say they will give you all the assistance in their power to protect or favour the retreat of the Assint men, should either be necessary. I had this day a letter from Inverchasly by the Tain's post; but as he does not return till Tuesday, I presume to send under this cover ane answer to Inverchasly, which you will be so good as to forward to him immediately, if your occasion don't lead you to see him.

I am, Dr Sir;
afftly yours, &c.

No. CCCCXC.

The Lord President to Inverchasly.

Dr Sir, 2d Novr 1745.

I HAD this day your's of the 1st by the Tain post; but as he does not return sooner than Tuesday, I have taken the liberty to return you this answer under Genzie's cover, by a servant of his, who goes from hence to-morrow morning early. You mention the haveing mine of the 25th Octr; but take no notice of one of the 30th to Mr Baillie, which I wrote for you both, & desired him to show you. I dare say it must be oweing to the lazieness of his servt, or to his haveing been out of the way, that it did not come to your hand. In that letter I acquainted him, that the design of a body of men's marching toward Assint, & the Braes of Ross, was laid aside; that Ld Mac Leod only was gone into Lockbroom & Coigach, to try what he could do; that the Assint men, & those of your country that are well intention'd, could prevent any bad design; & that it appear'd to me of the last consequence, to be able to say by the first dispatches that go from hence to London, that the Rosses are doing what was expected from them. I then hinted that the vessell might sail the end of this, or begining of

next week; & I now acquaint you, that if I may have any good news to give against next Thursday, it may go by that conveyance. I am very much surprised & concern'd at what you write concerning the disposition of some of the gentlemen in your neighbourhood. If the commons are debauch'd in the same manner, I do not know what is to be look'd for from them, even if the Master of Ross was in this country. You may be sure, however, I shall write for him; but when he comes, & when this affair blows over, as I hope it soon will, the gentlemen who are now so indifferent must make a very indifferent figure. It would be of use to have Sir Robt Monro here; but at present I doubt he must be with his Reg^{t}. I had this week a letter from Aldie, recommending a young man, one Donald Ross, who he says is his near relation, &c.: this you will show to Mr Baillie. Let me hear from you as soon as possible, & believe me to be, my d^{r} Davie, truely yours, &c.

P. S. Nine at night.

By a letter I just now received from Mr Baillie, dated at Inchfure the 1st, I perceive he has been out of the way; so that he could not show you mine of the 30th. He speaks of the difficulties, of which he will acquaint you, and proposes to improve Martinmas, towards bringing the comp^{y} together; but that term you see will be evidently too late to answer the purpose I have in view; & I should hope every one who dreams of joining the highland host will be gone from this country before that period; as a very strong army, marching northwards, is now not far from them; & it is our business to keep them at home. This Mr Baillie will look upon as ane answer to his.

No. CCCCXCI.

The Laird of Grant to the Lord President.

My d^{r} Lord, C. Grant, Nov^{br} 3^{d}, 1745.

ROTHEMURCHUS, who marched from this yesterday, will inform your Lop of the difficultie I had to prevaill with the men to march from this countrie to Invernes; which was occasioned by manie idle stories that were spread among them from different quarters. I have been obliged to promise to relieve them, at least such as should incline, at the end of a month, and shall endeavour to have them supplied with full as good men. Lord Lewis Gordon is busie recruiting, and, I am informed, will have a considerable number of men together this week: he brought north 600 stand of arms. I am informed from different quarters, that I and my friend are to be attacked; in which event, I will hope for assistance from Lord Loudoun. All here join in offering your Lordship our sincere compliments, and will be glade to hear anie news you have.

I ever am, my d^{r} Lord,
most faithfullie yours, while
LUD. GRANT.

No. CCCCXCII.

The Lord President to young Pitcalnie.

Sir, Novr 4, 1745.

I HAVE your's of the 3rd, expressing your distrust of the messages sent to you by Don. Ross; together with your apprehensions, that if you came to see me you would be detain'd, unless you had assurances to the contrary under my hand. The

messages

messages he deliver'd you were from me; as I was exceedingly affected with severall reports that were current about you; nor need you wonder, that what concern'd you so nearly, &, if you will but reflect, me also, should give me abundance of uneasiness. It was, however, never in my thoughts to entrap you, or to make you in the least forfeit your honour. I wish you may have the same regard for it that I have; and as I doubt not you have pledged your honour to return to those gentlemen whose prisoner you was, I should be the last man in the world, either to advise you not to make that engagement good, or by any indirect means to hinder it; & to make your mind easy in that particular, I hereby promise, if you come hither to see me, that you shall be permitted to return whenever you shall think fit, and shall have a safe conduct, to go to the place from whence you came, or to any other to which my authority reaches. This letter, shew'd in your way hither, if any questions are ask'd, will be to you a sufficient passport. I need not tell you that I wish you well, & that I shall be extremely grieved if any thing in your conduct shall make me be less than I have been,

Your affte Uncle, &c.

No. CCCCXCIII.

The Lord President to the Laird of Grant.

Dr Sir, 5th Novr, 1745.

LAST Sunday night Rothie's compy came in to Ins, & a very fine one it is, as Loudon assures me. I know you can well afford another of the same kind; & you remember I promised, that if any more Independant Compys were to be raised, you should have the nomination of the officers of one of them. It is now, in my Lord Loudon's opinion & mine, necessary to add some to those already raised. You will, therefore, think of proper officers to command another compy of your people, to be raised in the same way as the last, & look out for the men to be employed on the same conditions. This will enable you to gratify some deserving young gentlemen of your kindred; at the same time that it will do the Govt that service which you intend. I have no apprehension from Ld Lewis Gordon's recruiting, which I am told goes but heavily on. If I am rightly inform'd, he was to have been at Aberdeen as last Fryday, to influence the gathering the publick money. I have no notion that such men as he can collect in the shire of Banf or Aberdeenshire durst look Strathspey in the face, tho' half it's men were march'd out of it; but should any attempt, contrary to expectation, be made, you may depend on speedy assistance from hence. We must make the defence of each other's cause common. My compliments to Lady Margt & all your good company.

I am, Sir, with great respect,

Your most obt & most humble servt, &c.

P. S. Rothie assures me, that you are willing the Commn intended for him be given to his son: the moment you signify to me your consent, it shall be done.

No. CCCCXCIV.

The Lord President to Lord Fortrose.

My dr Lord, 6th Novr 1745.

I WROTE, as I told you in my last, to Fairburn, & had his answer on Monday; but had thereby no other satisfaction, than to be convinc'd that his affection to your Lop continues the same as ever, & will be such to the end; tho' a sort of nicety prevents his doing at present what your Lop & I so much wish; & since that is the case, I presume your Lop has resolved how his place is to be supply'd. I supposed that your Lop was to have march'd Hilton's compy into town Monday or Tuesday; but I dare say there is a good reason why it has not been done. I only wish that you make the dispositions so, as they may be with us soon, because that may determine our neighbours to think before they leap. If, however, your Lop have occasion for them where they are, to prevent follys in your neighbourhood of the like nature, it may be necessary to let them hover a little. I wish, however, to be inform'd what is doing in relation to this; & it is for that end I send your Lop this Messr When the Isle of Sky post calls at Brahan, your Lop will give him a small guard as usuall. Mac Leod I expect soon from Sky, with the men that are look'd for from thence: they, probably, for security, will make Carnchirm their road; & I doubt not your Lop will give all the necessary orders for their accomodation. We have now got into Inverness the Grants & Mackays, as we had the Munros & Ld Sutherland's people before. These, with what we expect, will enable us soon to shew a good countenance. We have nothing certain by the last Ins post; only that the runner assures us, the Highland army march'd away from Edr & Leith Thursday & Friday last. It is no evidence that the news are good for them, when they suffer none of the Gazettes to come through. My humble duty to Lady Seafort.

I am, sans façon,
Yours, &c.

No. CCCCXCV.

From Lord Reay to the Lord President.

My Lord, Tongue, 6th Novr 1745.

I RECKON your Lordship has seen George's company e'rr now. If it pleases you, and that you think another of my clan will be of service to the Government, my son Bighouse, who was an officer abroad, is willing to raise one, in which I'le assist him; since I am keen to exert myself on this occasion, which I hope will be the last of the kind. I mention this, as I learn some others your Lop designed companys for did not accept. I'm glad to hear that some arms are given to the Earl of Sutherland; I expect what can be spared; I really want them & some ammunition very much; as neither can be got to buy. It's hard that the true friends of the Government should want, when it's enemies over all are so well provided. We are heartily threatened, for sending men to Inverness; but that don't move me. I refer your Lordship to what George will tell you about myself. You know the great trouble and expence I was at

in 1715; for which I had not as much as thanks, owing to the reasons your Lordship knowes; yet as long as I have my present judgment, I shall risk my all most chearfully for our happy establishment. I'm perswaded your Lordship will represent my case, as a friend I fully trust.

I have the honour to be, my Lord,
Your Lordship's most obedient,
most faithful humble servant,
REAY.

No. CCCCXCVI.

The Lord President to the Gentlemen of the Name of Ross.

Gentlemen, Culloden, 7th Nov. 1745.

IT is, I confess, a piece of presumption in me to adress so many gentlemen, who each well deserve a separate application, by one letter; but the hurry I am keept in is so great, & the occasion is so pressing, that I hope you will forgive me.

Upon the unexpected heighth to which the Rebellion now on foot blazed, His Majestie was pleased to trust me with the disposition of Comissions for raiseing some Independant Compys amongst those kindreds in the north whose disposition it was to support the Govt; & it did not cost me one minute to resolve, that no kindred could be better trusted than yours; wherefore, without loss of time, I acquainted Mr Baillie, who has the charge of the Master of Rosse's affairs, that the Master was to have one of the Compy; & that I hoped that zeal in the kindred for Revolution principles, & for the support of our religion & libertys, which had appear'd on every proper occasion, would now show itself, & compleat that Compy as quickly as any other could be shewn; but, to my great mortification, I have been inform'd, that the men who were assembled for that purpose were prevail'd upon to disperse, upon the interposition of ane unhappy youth, a near relation of mine, whose conduct you may be sure gives me infinite pain; & this is not the single thing that disturbs me; for you may believe me, I am concern'd for the slur that this unhappy accident will, unless it is speedily repair'd, bring upon the character of zeal & loyalty which the kindred has so long possest; & for the inconvenience it may be attended with to the publick, as well as to the individualls by whose fault it may be supposed to have happen'd. What I therefore most earnestly entreat of you, whose affection to the Govt, as well as concern for the honour of the kindred, I am fully satisfy'd of, is, that you would, without looseing time, concert the proper measures for haveing this Compy instantly made up of men, who shall not be understood to serve any longer than till these troubles are over; which I am hopefull will be the case very soon; when the Compy may be recruited by attesting men in the useuall way. I have beg'd the favour of Captn Munro, of Culcairn, to wait upon you & deliver you this, who can explain to you at greater length what I would say, than can be done in the compass of a letter; & who can help you with his advice. I hope you will excuse the freedom which I use; which has no other object than the good of the publick, & the honour of your kindred.

I am, Gentlemen,
Sincerely your well wisher,
and most obt humble humble servt, &c.

No. CCCCXCVII.

No. CCCCXCVII.

The Lord President to Pitcalnie.

Dr Sir, 7 Novr 1745.

I NEED not tell you what concern Malcom's folly has given me. I sent him repeated messages to come & see me; which produced no other effect, but a letter from him promising to do so, if I would give him under my hand that he should be at liberty to return to Perth, whither he said he was, by his parole of honour, bound to return. I, without looseing a moment, wrote him to that effect a letter in the strongest terms last Monday, which was that day deliver'd to him, but to no purpose; either his own apprehensions, or evil counsellors, have got the better of him; & I confess my concern for him is very great. The only thing, however, like ane ouvert act, he has done, is the disperseing the men that were assembled in order to form the Independant Comp^y. Now if none of these should actually follow him, I should hope that discouragement will be so great, that he will choose not to venture further than he has done; but rather to return to where he was confined, than to make such a figure, as in that case he must make, should he follow the opinion of his present advisers. It is for this reason, d^r Sir, that I give you the trouble of this line, to entreat that you will lend your assistance to the other gentlemen of the name to whom I have wrote, not only to prevent the debauching of any of the men, but also to prevail with them to form the Independant Comp^y now forming; that all the world may see, that the unhappy youth's folly had no encouragement from you. I need to make use of little argument with you to enforce ane advice so agreeable to what I dare say are your own inclinations; nor need I spend time in assureing you, that I am, with great sympathy, as well as sincerity,

Your most ob^t & most hum. serv^t, &c.

No. CCCCXCVIII.

The Lord President to Inverchasly.

Dear Sir, Novr 7, 1745.

I RETURN you all your letters. I think Mr Baillie much in the right for despiseing Barisdale's threats: if menaces of that kind were to have any effect, I know not who would do their duty, or deserve the favour of the Crown for doing it. I wish, with all my heart, we could have letters from my Ld Ross, or the Master; but I cannot conceive how they should come, as nothing escapes the search of the gentlemen at Ed^r, who would not willingly suffer directions from them to come through; & the first tydings, I confess, I expect to hear from the Master is from himself, who I doubt not will convey himself hither by sea by the first proper occasion. I have, as you desired, wrote a letter to the gentlemen you mentioned of the name of Ross; & I have prevail'd with Culcairn to take a trip down amongst you to deliver it. He will be able to enforce it by arguments, & to give advice as to the manner of forming the Comp^y; &, besides, he will say to you somewhat, which I do not choose to committ to writeing. I have also wrote a separate letter to Pitcalnie, exhorting him to exert himself on this occasion, as a plain way of shewing that he had no hand in his son's indiscretion. With respect to Don. Ross, if that will satisfy Aldie, I can certainly have him introduced to the Excise, & according to his merite have him promoted there. You can hardly imagine

imagine how desirous I am that we should not be affronted with respect to this Compy, which I see fools are leagueing together to suppress. * * * * * * * * * * * My service to Mr Baillie; to whom I would have writt, but that I am thoroughly tired of scribleing.

I am, my dear David,
Most certainly your most obt & most hum. Servt, &c.

No. CCCCXCIX.

Lord Fortrose to the Lord President.

My Lord,

I HAD the honour of yours of ye 6th, which I had been expecting for a day or two before. Last Wednesday Ld Cromertie passed the river at Contin, with about a hundred men, in his way to Beulie, without my knowledge (owing to the neglect of my spies, as there's rogues of all professions). I have since seen severall that numbered them. Ld Macleod came from the Highlands the same day, and follow'd his father to the rendevous; but after traversing all Assint and Lochbroom, did not get one man, tho' he expected to get the Maçleods there. I have this satisfaction, that not a man has stir'd from Ross-shire, except William Kilcoy's brother with seven men, and a tenant of Redcastle's with a few more; and if Lentron & Terradon did goe off last night, they did not carry between them a score of men. I took a ride yesterday to the westward with two hundred men, but find the bounds so rugged, that's impossible to prevent a single man from going by, if he has a mind. However, I threatened to burn their corn-yards if any body was from home this day; and I turn'd one house into the river for not finding its master at home. Its hard the Government gives nobody in the north power to keep people in order. I don't chuse to send a Company to Inverness till I hear what they are determined to doe at Lord Lovat's. I took care of ye Sky post, and shall doe the same of every thing else you recommend.

I am, my dear Lord,
Braan Castle, Your Lordship's most affectionate humble servant,
Nov. ye 8th, 1795. K. MACKENZIE.

P. S. Coul has absented; where he is gone I know not.

No. D.

The Gentlemen of the name of Ross to the Lord President.

My Lord,

WE had the honor of receiving your letter by our friend Captain Munro of Culcairn; and beg leave to assure your Lop. of our attachment & regard to the present happy establishment, under which we enjoy so many valuable privileges & advantages. And with respect to your letter, my Lord, we take the libertie to say, that we doe the more readily take part in the present affair because your Lordship has interested yourself so much in it; that, even on your account, we would join our good offices to our inclinations, for supporting the Government at this criticall time. We have mett here this day in compliance with your letter; and as Captain Munro will deliver this, we doe referr to him to acquaint your Lop, at greater length than may be proper to

to write in a letter, what resolution we have come to, in order to make up the men expected from this country. But as there is a mercatt next week, at which all the people have necessary bussyness to doe, in order to enable them to pay their rents & other demands, wee are assured they will not willingly goe till that mercatt is over. But the week thereafter, we hope the men will be at Inverness, and make such an appearance there as will be agreeable to your Lop, and as much as possible atone for their being so long of coming up. Mr Baillie, who is here also, and who concurs heartily in the same resolution with us, hopes your Lordship will see or hear from the Master of Ross, or my Lord Ross, or that himself will in a few days; that any objection, which the people of the estate of Balnagown may make on that account, may be avoided.

And as we understand this to be your birth-day, wee concur in hearty prayers, that you may live for manie years more to doe service to our king and country; and in testimonie of our sincerity we will conclude with ane innocent bottle, as use is on the like occasion; assuring your Lordship with how much honour, regard, and attachment, wee shall be on all occasions,

My Lord,

Your Lop's most obedient and most faithful servants,

ROBERT ROSS.
SIMON ROSS.
DUNCAN ROSS.
THOMAS ROSS.
DAVID ROSS.
DAVID ROSS.
ARTHUR ROSS.

Tain,
10th Novembr 1745.

No. DI.

The Lord President to Mr Scrope.

Dr Sir, 14th Novr 1745.

I AM just now, where I was just thirty years agoe, & employ'd in the same service, & with the same resolution, tho' not with the same vigour; & yet I cannot justly complain of the success of my weak endeavours; for of those kindreds of the Highlanders who in the year 1715 were at Perth, there are now in this country, partly assisting me, & partly detain'd at home by perswasion or force, a greater number than the number of reall Highlanders who have from Edinr march'd towards England. I do not speak of the whole of what they call their army, which is composed of numbers of low country people, who must prove rather a drawback than any assistance to them; but I speak of the natives of the mountains, who by the celerity of their marches, & by their capacity to bear fatigues, may be accounted dangerous enemys. I am hopefull, there will be soon a good account given of those; & that I shall be thereby relieved from the present drudgery. In the mean time, as I am sending dispatches to London, I thought you would not take it amiss to have it certify'd under my hand & seal, that I am still in the land of the liveing, & doing tolerably well; & I entertain some hopes, that you will, either by yourself or Harry, deliver a like certificate to Geo. Ross, who will put this into your hands, to be transmitted to me; which will gladden the heart of your affectionate well wisher, &c.

No. DII.

No. DII.

The Lord President to the Earl of Stair.

My Lord, 14 Novr 1745.

I HAVE already wrote a very long letter to the Marquis of Tweeddale; which as your Lop will see, it would be troublesome to me, as well as nauseous to you, to repeat. From it, as well as from what Loudon will write to you, you must have a pretty good guess at the situation of the King's affairs in this country. Wherefore I shall trouble you with very little, except a circumstance which, I doubt, Loudon will omitt; & that is, that he came to this country exceeding seasonably to my relief, when I had the most occasion for him, & when I do not know what I should have done without him; & that to his vigilance, application, & temper, the crown & the country owe a great deal, & in all appearance will owe more. It is needless to entertain your Lop with many difficulties & cross accidents we have had to surmount; or with the knavery & folly of many of the fools we had to work with, & upon. The sum of what we have to flatter ourselves with, & which it may be of service to the Govt to know, is, that except Mac Pherson of Clunie, who with about 300 of his posse left Badenoch before we were enabled to bring any force together, by those remittances which I so often press'd for, no body of men from this country have join'd the highlanders who were successful at Preston Pans; so that the force in highlanders of that army, as they call it, which has march'd from Edinr towards England, cannot possibly be formidable; however the numbers may be increas'd by a rif raf of low country people, who must do them more hurt than service. As I have press'd, in my letter to the Marquis, for a further remittance of money & supply of arms, I am confident your Lop will forward my request, & of all things prevent loss of time. The totall interruption of communication with the southern parts of Scotland made it impossible to raise any of the indepent companys there, at least hitherto.

I am very faithfully,
Your Lop's, &c.

No. DIII.

The Lord President to Mr. Geo. Ross.

Sir, 15th Novr.

THE strong boxes have been received out of the Saltash sloop, are delivered to Baillie James Fraser, & by him lodged for security in Fort George. They contain, I presume, the cash you mention, tho' they have not as yet been open'd; & that money shall be disposed of for the subsistence of the Indepent Compys, of which no more than 5 are actually at Invers; more are dayly expected. It is very likely that there will be necessary occasion for money for incident expences, befor a fresh supply arrives from London; & in that case we shall be obliged to borrow from the sum remitted by you; to be made good afterwards, by money proper for such expences; & I have written to my Lord Marquis of Tweeddale, intreating that a further sum of money may be sent down to us, to answer such contingent expences; of which you will not fail to put him in mind from time to time. The directions you have given Baillie Fraser, as to the issueing the subsistance, he will, I dare say, comply with, & by the next occasion give you ane account of his proceedings.

I am, Sir,
Your most humble Servt, &c.

No. DIV.

The Lord President to Mr. Geo. Ross.

Same date.

Dear George,

BY another letter of this date, I have acknowledged the receipt of the strong boxes; & by one to Mr Mitchell, besides what I have wrote to the Mar. of Tweeddale, I have so far explain'd the state of this country, that he will be able to satisfy your curiosity. What I write this additional letter for is, to let you know, that your name-sakes have not, whether from knavery or folly, or a mixture of both, behaved themselves as I expected, or as they ought to have done. So soon as I received the commissions for the indepen^{t} comp^{ys}, I sent for Mr Baillie & Inverchasly, & acquainted them with my intentions of giveing one to the Master of Ross, with the Lieut. & Ensign that were proposed. They seem'd very well satisfy'd, found no difficulty in raiseing the comp^{y}, & promised to bring the men together so soon as they should have notice; which could be, no sooner than we could have arms & money: when these came, they had notice & brought 100 men together; but, upon some difficulty's raised by Pilcalny's mad son, they dispers'd; & tho' I have wrote to them, as a kindred, a letter, & sent Culcairn to Tain, where he had meetings with them, all I have got from them is a promise, that in a fortnight the comp^{y} will be brought together. I do not choose to conjecture at the cause of this backwardness in the people; it is surely not disaffection. Some of the gentlemen question, whether the Master of Ross would accept, and others pretend he will not because he is not already here. If I knew where to write him, I would; & as you do, I desire that you may let him know how the matter stands; to the end, if he cannot come, he may write to his friends in the strongest terms. Inverchasly is, I am confident, sufficiently zealous. I am so monstrously tired with writeing, that the only other thing I can submitt to the trouble of writeing about, is poor John Innes, who writes me word from London, that his misfortunes this campaign have not left him a groat; & begs some supply. Remittance is impossible, & my purse is pretty well drain'd; let him, however, have somewhat to keep the bones green, & put on a coat, & I shall pay you.

I am, Dr George,
Yours, &c.

No. DV.

From the E. of Loudon & the Lord President to Marishall Wade, or the Commander in Chief in the North.

Sir, Nov. 16, 1745.

AS we are sending dispatches for London by the Saltash sloop to Newcastle, we judged it might be for His Majestie's service, to drop you this short notice, to let you know the present situation of this country; which is in substance, that, except Mac Pherson of Clunie, with about 300 men from Badenoch, no body of highlanders of any consequence have, from the country to the northward of Athole, join'd those who originally took possession of Edin^{r}, or added to their numbers in their march towards England; that about 200 of the tribes dependant on the Clanchattan, with some men from Breumar, & some other small partys, had got together at Perth last Saturday; where, they said, they waited for further reinforcements from the north; that 150 or 160 Mac

160 Mac Kenzies, seduced by the E. of Cromarty, march'd the beginning of this week up the north side of Lochness, & depended upon being follow'd by 5 or 600 Frasers, under the conduct of the Master of Lovat; but these MacKenzies have not as yet pass'd the mountains; neither have the Frasers yet march'd out of their own country; & we have some hopes they will not, as we have now 700 highlanders in pay at Inverness, & look hourly for some hundreds more, with which we shall endeavour to perswade them to stay at home; that we hope immediately to open the communication with Fort Augustus & Fort William, & thereafter to march some indepen^t companys into Banf & Aberdeen shires, to obstruct effectually the recruiting of Lord Lewis Gordon for the Pretender's service, which goes on but heavily at present; and that, when this is done, we shall be ready to do what further shall appear necessary, & be within our power, for putting ane end to the present rebellion. We wish you heartily good success, & are,

Sir,

Your most ob^t & most humble serv^ts, &c.

Postscript. Last Fryday, Mac Leod, with 400 of his kindred, join'd us; which gives up hopes that we shall prevent the march of the Frasers, who are not yet gone. There is a great fall of snow on the ground.

17 Nov^r.

No. DVI.

The Lord President [perhaps to Mr Thos Fraser, of Gortuleg.]

No date; but probably about the end of Nov. 1745.

Dear Tom,

I RECEIVED with very smart concern yours of the 27th*. What grieved me cruelly was, that I see my unhappy and much-loved friend on the brink of destruction; and that you should be so unkind as to hint, as the only remedy, an expedient which to the end of time would dishonour me: I mean, my counteracting my publick professions to the Government; which I am determined, at all hazards, to support. Ther is something so dishonourable in that thought, that I must reject it with indignation; and may be induced to act a part more forward than otherways I should choose, to avoid imputations from others of what you seem to wish. But no consideration to which my honour leads me, which I am determined absolutely to pursue, will ever make me relinquish my wishes for my Lord's safety, or any honourable mean of contributing to it. All that is left me at present is, by remonstrance and advice to you, who love his family & person as well as I do, and I need say no more: what I would signify to you is, that L^d L——n was yesterday about to have wrote another letter, proposing the termes he expected from my Lord; but upon hearing of some of the company's march, he stopped short, and expressed his fears that he had gone too far in the way of treating. What provoked him was, that tho' my Lord had said all the men were at home, and promised to do what he could to keep them so, yet he heard that three companys had marched, & two more were to follow; and he had received information that my Lord was accessary to this; which supersedes all protection. And he re-

* This does not appear in the collection.

 solved,

solved, whilst Lord Seafort was advancing on the one hand, to march 6 or 700 men from hence. What the precise of his intention is, I do not know; but I am sure, in certain cases, he has authority to burn and destroy. God forbid that this should be the fate of your poor unhappy country. I shall try to stop him, and to perswade him yet to send his letter, which will be the last; and from my heart I wish that repentance may not come too late.

No. DVII.

The Lord President to the Duke of Gordon.

My Lord, Culloden, 9 Decr 1745.

THE Earl of Loudon is return'd from relieving Fort Augustus from a sort of blockade with which it was straiten'd; & as he is very busy just now, in prepareing every thing for a short expedition to the westward, to bring some people, whose conduct he is not pleased with, to order, he has charged me to acquaint your Grace that, mindful of your desire, he has order'd a body of between 5 & 600 men to march tomorrow towards Elgin, where they will arrive the third day; & that he is very quickly to follow with the like number, & to order more troops to march the same way, if circumstances make it necessary. This he thought it was highly fitting to acquaint your Grace with, that your people might know they are no longer to be oppress'd; & that your Grace may have time to consider & advise him, when he arrives, what is fittest to be done for his Majestie's service, which he knows you have so much at heart. I very readily comply with my Lord's desire, because it gives me ane opportunity of assureing your Grace that I am, with perfect respect,

My Lord Duke,

Your Grace's most obt & most hu. servt.

No. DVIII.

The Lord President to the Earl of Findlater.

My Lord, 10 Decr 1745.

THIS afternoon your Lop's letter of the 9th was, pursueant to your directions, delivered to me, in the absence of E. Loudon, who is this day marched with a considerable body of men to the westward, to obtain the best security he can, that L. Lovat's kindred, who have been long in ane uncertain state, notwithstanding the many endeavours that his Lordship assures us he has used to keep them dutifull, will remain quiet, & give no disturbance to the Govt. I observe with concern the method used by the rebells in Banfshire, which are the same that are made use of in Aberdeenshire, to induce his Majestie's subjects to raise money & men toward the subversion of the Govt. Your Lordship has surely return'd to those who have consulted with you a very solid advice; & have, no doubt, given the proper directions to those that take care of your affairs, on the subject of the letter that was written to yourself; and if these advices & directions can prevent men's subjecting themselves to the penalties of high treason for a very few days, they will be deliver'd from all apprehensions of such usage; for before any notice came from your Lop, a body of between 5 & 600 men was this day march'd from Inverness for Aberdeen by Elgin, to be follow'd by my Lord Loudon very quickly, with as many more if needfull; & by a further force from hence, if it shall be wanted. Thus your Lop's tennants & neighbours will be speedily relieved from the oppression under which they groan; & I should hope they will

will have the fortitude to resist the threats that are employ'd to induce them to become parties to high treason for a very few days, when relief is so very near at hand; as, on the other hand, I immagine the rebells will be cautious how they execute those threats, when repriseals can be so speedily made on those who may be so wicked as to put them in execution. And, as E. Loudon is absolutely a stranger in Banfshire, it would surely contribute very much to the service, if your Lop̃, who can give so perfect information of the practices as well as the characters of men, could meet him in his march through that country; or if that may not be, because of the severity of the season, or on any other account, that your Lop̃ would give directions to any person in whose fidelity you have confidence, & of whose sagacity, & acquaintance with the late transactions in the country, you are satisfy'd, to attend him, that he may receive the proper information; and that you would also direct your deputy shirref to be in the way, that he may issue the proper orders for what concerns the accommodation of the troops in their march. I beg your Lop̃ may be so good as to make my compliments to Lady Findlater, Lady Margt Grant, & the rest of your good company; & believe me to be, with perfect respect, My Lord,

Your Lop̃'s most obt & most humble servt, &c.

P. S. Your servt haveing gone into town last night about some bye business he had to do, & not haveing as yet return'd, I have struck up the seal of my letter, to let your Lop̃ know, that E. Loudon has prevail'd with Lord Lovat to come in with him to toun, to reside at liberty there till the present confusions are over; to deliver up what arms he has, & to sign all proper orders to his clan to remain quiet. Loudon brings him in with him to-day.

Wed. 11th, 9 in ye morning.

No. DIX.

Mr. Robert Dundas, Solicitor General, to the Lord President.

My Lord, Edinr, Dec. 11th 1745.

TWO posts ago I had a Letter from the Marquis of Tweedale; wherein he tells me, that a few days before he had had Letters from your Lordship, & L. Loudoun; and desires me by some way or other to correspond with you, lest you should have any Commands for this place [part] of the country. As, at present, all communication by Land is uncertain, or rather cut off, I proposed to the Justice Clerk, & General Guest, that a Boat should be sent, that your Lordship might have an opportunity of writing to the King's friends here, if you thought it necessary, or had any directions for us. They agreed to my proposal; & I imagined they were to have writ to you an Account of our situation; but it seems I was mistaken; for Mr. Guest told me this Morning, that he was not to write. I hope the Justice Clerk will, who knows our Situation better than me. However, I shall inform your Lordship of some of the particulars regarding it. First, as to the News of the Rebells in England, I refer you to the Courant, which contains what we know; the latest Intelligence being a letter from General Huske, dated at Ferrybridge, Saturday last, when M'Leod's Troops were that day stopped by an Express, & probably a considerable part of them may return to this Country. Mr. Huske says, that they then heard the Duke had got before the rebells, & stopp'd them at Loughborough. What may be the effect of so strange a March, is not easy to conjecture; as they certainly have very few men to oppose the King's Armies, & scarce a Creature has hitherto joined them in England.

As

As to our Home Affairs, the two Battalions of Foot which came from Berwick are marched to Stirling, and the Dragoons are marching to Linlithgow & Falkirk. About 600 of the Regiment levied at Glasgow, by His Majesty's warrant, are this day marching to Stirling, to assist the Regular Forces; & I believe some hundreds, hired by private Subscription in different Counties, will soon follow, and dispute the passage of the Forth if the rebels attempt it.

The situation of the Rebels your Lordship will probably know. Their head quarters are at Perth, where they compute 12 or 1400 Highlanders, & about 500 at Dundee. The Landing of the Irish in the French Service at Montrose has given them Spirits; & I hear these Troops are beginning to move towards Perth, & endeavouring to carry some heavy Cannon along with them, which they give out to be 18 or 24 pounders; but I am told, that they have only 2, or 3, 12 pounders. The French Troops are under the Command of Lo. Jo. Drummond, who on Monday sent a Drum to Gen. Blackney to Stirling with a Letter, desiring him to be forwarded with letters which he had to Gen. Guest & Marshall Wade. The purport of the first letter was, that he Lo. Jo. was come over at the head of some French Troops, with instructions from the King of France to meet and give Battle to the Troops of the King of England, Elector of Hanover; & that he proposed the Generals should agree to the Cartel fixed in Flanders last year, which may be of advantage to both sides. Copies of the Letter to Guest were dispatch'd to London, and the Drum is sent forward to Mr. Wade. By the best Accounts, the Number of the French landed is between 5 & 600; and your Lordship will have heard, that one Transport was taken by the Milford Man of War, with 162 private Men, 9 Scots, 14 Engliſh, 1 German, 33 French, & all the rest, with 17 Officers, Irish, who are now in the Castle. This, my Lord, is a ſhort sketch of our situation in this country; & you may well believe we are in Confuſion by these troublesome Times, and should be glad we were delivered from them. However, we all keep up our hearts; & I must say, the Commonality in the Country are well affected, & ready to support the Government as far as they can. The good accounts we have of the peaceable dispositions of several of your Friends & Neighbours gives great Joy, & nothing has more contributed to the keeping up a true Spirit here.

Tho' I send this letter by the Marquis's directions, yet I expect no other answer than your Lordſhip may think proper; for I should be in the wrong not fairly to tell you, that we ought to know nothing but what you think necessary on account of the Service. Your Lordship knows some of us, better than we know ourselves; & we still continue the same you took us to be, & we never communicate any thing of Importance to above 10 or 12 of our intimate friends. However, if you let me know that it is any ways agreeable to you & Lord Loudoun to hear from us, I'll send frequently by Sea, and ſhall likewise forward any paquet comes from London.

You would greatly blame me in these times, when all good Men ought only to be concerned for their Country, & to be using their endeavours for the support of our Constitution, if I writ about any other Matters; nor will I do it; only when you have time to pity a Poor Mortal, pity me in my unlucky situation; as I am here placed in far too conspicuous a light, left entirely to my own guiding, without any person in the Earth to give the least assistance or Counsels. In obedience, however, to several good Lessons I have got from your Lordſhip, I will so far try to imitate you, as that I am resolved to do my Duty as far as in me lies; & nothing private that can be done ſhall make me surly, or neglect the Duty of my Office, till we can say that this Rebellion is over.

I am sorry to tell you, that Lord Arniston, who was forced to leave his House when he was taking severe remedies, turned so bad again, that his Physicians insisted he should

should be confined for some time; & as that could not be ventured here, lest of a new alarm at this season of the Year, he is gone to England; but to what place I do not yet know; I am in greater fear for him than ever I was before. I spoke to Willie Forbes, who has sent all the Newspapers & Pamphlets he could get. It gives me great satisfaction to hear from him that you are well. I heartily pray God it may continue, both for your Country and friends' sake; & when I shall have the pleasure of meeting again with you, many and various Anecdotes will we talk of. In the mean time, I beg leave to assure you, that I am with the greatest Sincerity,

My Dear Lord,
Your Lordship's most obedient humble Servant,
RO. DUNDAS.

P. S. Allow me to offer my most humble respects to Lord Loudoun.

No. DX.

The Duke of Gordon to the Lord President.

My Lord,

I THIS moment received your Lop's Letter, & think myself much bound to your Lop for acquainting me of the motion of my Lord Loudon's troops.

I beg you will be so good as make my Com[ts] to Lord Loudon; & to assure him, that I shall think it my duty to meet his Lop at Elgin, & to do my utmost to inform his Lordship of every step, to my knowledge, most conducive to his Majesty's interest; & shall have the hon[r] to accompany him wherever he may judge it most proper to go.

I take this as a most particular favour both from the E. of Loudon & y[r] Lop; & such a one as I shall never forget to either. The bearer seems to be in a great hurry, & therefore wou'd detain him no longer.

I am,
My Lord,
Your Lordsp's most obed[t] & most humble servant,
GORDON.

Gordon Castle, Dec[r] 11th 1745. past 5 afternoon.

No. DXI.

Part of a Letter from the Lord President to Mac Leod, at Elgin.

Dated 13th Decr. 1745.

MY last inform'd you, that L. Lovat is come into Town, after abundance of shillie shallie stuff. He has at last agreed, that all the Arms belonging to his people shall be carry'd into Iñs by Sunday's night; & the expectation of this, whether the undertakeing be jest or ernest, necessarly detains Loudon here untill he see the issue; however, as expectation is raised, by your march, of relief beyond Spey, which must not be disappointed, he is to march from Iñs to morrow Eastwards 2 comp[ys], Culcairns & Wm Macintoshe's. Culcairn's I beg'd for & obtain'd, because he knows somewhat of the manœuver, & will be of use to you; they will certainly be at Elgin at furthest Monday's night, but it's possible they may be with you Sunday's night; & Loudon with more Troops will follow, when my Lord Lovat shall have fulfilled articles, or, on failure of performance, shall be disposed of. Whilest the negociation necessarily detains Loudon, you see the absolute necessity of performing our engagements to the Duke of Gordon, & to Banfshire, if practicable; for which end these two additional

Comp[y].

Comp^{ys} are to be sent to you. If, by your information the Rebells under Lord Lewis Gordon can be delt with by the force you now have, you will march for Strathbogie Munday's morning, whether the 2 Comp^{ys} I have mentioned come to you before that time or not: If you want the assistance of those Comp^{ys}, which I imagine will not be the case, you will wait for them; and if, after their arriveall, more force still should be wanted, you must expect my Ld Loudon; but if, what I presume is most likely shall be found to be the case, that the force now with you, is more than sufficient to deal with Lord Lewis's recruits, you will then march Munday morning in your way to Strathbogie; & unless Spey prove too great a hindrance to you, you may reach Keith that night; where, & in the neighbouring villages, you will meet with tollerable quarters for one night; & the next day by noon you may reach Strathbogie, where & in the neighbourhood you may rest till further orders; sending out partys to dissipate any assembly of Rebells you may be informed of, if any such should be. If this shall be your resolution, you will on Sunday evening, march a Comp^{y}, or what you shall judge to be a sufficient detachment, to Spey side, to secure the Boats for the passage next day, & to remain at the ferry on this side, and in the neighbourhood, that night, & to be ane escorte for a messenger, whom you will send with the inclosed letter, which you will shut and send to the D.^{k} of Gordon, together with another of your own to the same purpose. The securing the Boats will facilitate your march to Keith; and the message to the Duke, as it is respectfull, will be taken kindly; & will procure his countenance. What the people about him say, you will receive civily; at the same time that you will suspect their former way of thinking lays them under a byass.

If you are strong enough for Lord Lewis, you had better march by yourself Monday morning, even tho' the other 2 Comp^{ys} should arrive Sunday's night, because of the difficulty of accomodation; but if there is any apprehension of opposition which you cannot easily master, you will not only wait for them, but, as the case may be, for L. Loudon also. I need not tell you, that as I have obtain'd Culcairn to be sent to you because of his knowledge, you will consult with, & use him well. If you judge the force now with you sufficient to go to, & remain with you at Strathbogie, you may direct the 2 Comp^{ys} that follow to remain at Elgin, to come forward to Fochabers or Keith, or to march to Banf, or any other part of that shire that the service may require. Mr. Bartlet, who came from Abd^{n}, was directed to send you accounts from thence by word of mouth, on which you was to form opinions until L. Loudon come up, & to act accordingly; & Mr. Thomson was to remain at Elgin with you, to explain to you the characters of the messengers that might be sent. Upon the inclosed, which you will deliver to him, I presume Mr. Thomson will accompany you; &, as he knows the country better than you do, give you the best advice and information.

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You must be sensible that frequent communication is necessary; therefor from Elgin you ought to fetch ane honest runner or two, such as Sir H. Innes will direct you to be sent hither, with frequent advices; & these, together with the return of such as shall be sent to you, will keep up the communication. In the mean time, unless the D. of Gordon take it upon himself, you ought to leave a small party att Fochabers, & ane other at Keith, to secure the passage of messengers. What else I have forgot, & what will occur to yourself to be for the service, you will do.

I am yours.

No. DXII.

No. DXII.

The Lord President to the Duke of Gordon.

My Lord, 13 Decr 1745.

AS the E. of Loudon is obliged to stay a day or two longer than he expected at Iñs to see the execution of his agreement with Ld Lovat, who is now there; and as the speedy execution of his promise to your Grace is necessary; the Laird of Mc Leod, who is now at Elgin, & will be follow'd by more troops to march to morrow, is directed to proceed to Strathbogie, to dissipate the Rebells assembled there, & in the other parts of Banfshire. There is no sort of doubt, your Grace will give him all the countenance, advice, & assistance possible, as he is actuated by the same principle that possesses your Grace, regard to liberty, & zeal for His Majestie's service. It is possible he may be obliged to secure the passage over Spey, in order to convey even this, with his compliments, securely to your Grace; & I am confident he will have your approbation, as well as your assistance to preserve that passage for the future free from interruption. Whatever direction your Grace shall be pleased to give him for the good of the service he will carefully observe; because I am confident he is, what I most certainly am,

My Lord Duke,

Your Grace's most obt & most humble Servt, &c.

No. DXIII.

The Lord President to the Laird of Mac Leod. Same Date.

Sir,

AS zeal for His Majeſtie's service, and for the support of our happy conſtitution, is the sole motive of your march, with so many of your Kinsmen, to a Country so distant from your own; I presume you will not scruple to take directions from me, who, tho' I have no Military Commission, or Authority, am actuated by the same principles that direct you. I need not tell you, because you know it, that the first intent of your expedition is, to deliver the Duke of Gordon's Vaſſalls and Tennants, and their neighbours, in Banfshire, from the oppression of the Rebells, in the illegall and treasonable levys of men & money which they presume by force to make. To accomplish this design, you will receive due information from his Grace, & from such as he shall order to inform you. You will treat such as will presume to persist in these treasonable practices, & to resist, as traitors; & to the outmost of your power, you will protect againſt their oppressions such as are dissposed to remain dutifull to his Majestie; and because, according to undoubted information, many persons have been compell'd by force & threats to enlist in the service of the Pretender, whilst there was no force sufficient to protect them, if any such should resort to you, & deliver up their Arms, you will not scruple to give them a ſignification of that dutifull behaviour; to the end it may be a motive to obtain their pardon from his Majestie's grace.

If, after your arriveall at Strathbogie, you shall be informed of any number of men in Arms, in support of the Rebellion, or of Arms any where lodged within your reach, it will be doing good service, to send out detachments to dissipate the one, or seize the other, at all adventures. I am conſident E. Loudon will approve of the Advice I now give; & his further directions you shall take when he comes up with you, which will be soon.

I am, Sir,

Your most obt.

& most humble Servt. &c.

No. DXIV.

Sir Mathew Ridley to the Lord President.

My Lord,

I TAKE the opportunity of Mr. Inglis's return to Inverness, to thank your Lordship for the honour of your Letter of the 10th October. I hope yours & my Lord Loudon's good endeavours have had the desired success, and that we may soon see the Highlands return to their duty.

We were in great expectation of having a good account of the Duke coming up with the Rebells; but on the appearance of some of his Army at Swarston Bridge, 6 miles south of Derby, on Friday morning last, they retreated with great precipitation to Ashburn, and, by very long marches both night and day, reached Preston as last night; when the Duke was only at Macclesfield. They are pushing to get back into Scotland by way of Carlisle, and will certainly effect it. Marshall Wade is with the Army under his Command this night at Wetherby, on his return to this place, where they will remain till proper provision can be made for the march of the Army into Scotland, which I understand is to be done as soon as possible. I wish they may get there in time to stop the progress of the Rebels now in Arms about Perth, and to prevent their again being in possession of Edinburgh.—I know not what is intended as to the Duke's Army; but it is conjectured, that His R. Highness will scarce come farther North than where he now is, as it is too probable there will be occasion for a large body of troops in the South of England; certain Intelligence being come, of a great embarkation at Dunkerque.—The Admiralty have taken up 40 ships, and stationed them as Cruizers, to be aiding to the Men of War upon the Coast.—Amidst all these gloomy appearances, it must give great satisfaction, and grounds to hope a good issue, when we see all ranks of people in England united in duty and affection to his Majesty and his family.—God grant us a speedy end of these troubles!

I beg leave to pay my Compliments to my Lord Loudon, and am, with the utmost regard,

My Lord,
Your Lordship's most obedt,
humble Servant,
MATT. RIDLEY.

The Hessians in British pay are ordered over immediately.
Newcastle, 13 Dec', 1745.

No. DXV.

Lord Fortrose to the Lord President.

My Lord,

SINCE I came home, I have been looking into my affairs, and clearing Accompts, as I like short ones; and find I have expended upon Guards and Garrisons something more than four hundred pounds; most of it in Specie; and it is not to be wondered at, considering I was obliged to defray my Men's expences going and coming from the Highlands, and that I have had them above two months.—I should not give you the trouble of this, but that I have a very melancholy appearance of getting my Mart Rent; as the people are glad of any excuse to prevent Payment; and the last severe Winter, with their absence in coming here, affords but too good a one.

Your

Your Lordship is sensible I will do any thing you desire me; and that I am likewise ready to sacrifice my person and estate for his Majeſtie's service; but thank God, as the Government's Credit is extremely good, I see no reason why my Disbursements be not refunded me, as I do not grudge the trouble I have been at, nor any Readvance, to put my troops in motion, nor haveing weakened my Parliamentary interest. Private credit may perhaps move me to write this Letter; however, ỹt's not to the purpose.

I am, with regard,
My d^r Lord,
your Lordship's moſt affectionate humble Servant,
K. MACKENZIE.

Braan Castle,
Dec ye 16th 1745.

P. S. If this overtake Lord Loudon, pray assure him of my humble duty.

No. DXVI.

Part of a Letter from the Lord President to L^d. Fortrose.

My Lord, 16th Decr 1745.

YOUR Letter of this Day's date was deliver'd to me in Town; to which, accidentally, I went this Morning. I saw Ld Loudon there, & communicated the contents to him. We both agreé in oppinion, that your Loṽ's expence must have been rather greater than what you mention, & that it must be made good; but as Cash is very low with us at present, all we can possibly do is, to let your Loṽ have the pay of the 2 Comp^ys from the date of the Letter; signifying that they were order'd to remain at Brahan for the service of the Gov^t. The further expence, which we are both satisfy'd it must have cost your Loṽ, shall be made good as soon as any money, to be apply'd to contingencys, which we expect, shall come to hand; and if it should not come so soon as we wish, the account shall be made up & solicited, in the same manner with what we lay out of our own purses, which is no inconsiderable sum.

No. DXVII.

The Lord President to Mac Leod.

Sir, Dec. 17, 1745.

THE complaints of the City and county of Aberdeen, of the oppression they suffer from the Rebels, are so clamorous, & the injury they suffer so violent, that it is no longer possible to indure them. You are, therefor, without loss of time, unless some accident insuperable detain you, to march alongst with Captn Munro of Culcairn, & the Comp^ys under his command, to Aberdeen, to rescue that City and its neighbourhood from the hardships it has already felt, & is further threatened with: & in your proceedings in that County for the reduction of the Rebells, the seizure of their Arms, & the protection of his Majestie's subjects, you will follow the same directions that were given with respect to Bamfshire. I know, tho' I have no authority over you, you will not be unwilling to take my advice in what relates to the defence of the Gov^t, to which we both mean equally well.

I am, Sir,
With great respect,
Your most ob^t and most humble Servt.

No. DXVIII.

From the Lord President to James Morison Esq[r] late Provost of Aberdeen.

Sir, Culloden, 17 Dec[r] 1745.

YOUR Letters of the 14th were deliver'd to the E. of Loudoun & me at this place; and as his Lo[p] was very much engaged, he charged me to return you ane Answer for us both. The calamitous condition of your City, and its neighbourhood, has been for some time known to us, as you will easily guess befor this comes to your hands; because you must be informed, that a considerable body of his Majestie's forces are by this time advanced as far as Bamf for your relief; orders are sent them to proceed without loss of time to Aberdeen, where it is our hope they will arrive in time enough to prevent the execution of the foolish threats made by those who must know that their utter destruction is near, if they presume to put in practice their severe menaces, with which they hope to intimidate weak minds. This body will be follow'd on the heels by L. Loudon with more troops; & those who feel the rigour of the oppression they now complain of, & who wish for the support of the Gov[t], must have themselves to blame, if they do not heartily concur in measures that may remove the one & secure the other.

The L. of Mac Leod goes a Voluntier at the head of a considerable body of his own kindred, to deliver you from harm. I doubt not that all the regard will be shown him, and all the conveniencys readyly furnish'd to the men that he brings alongst, that the nature of the service require; and that every freind to the Gov[t] will exert himself to procure him the best intelligence that can be had. I am, in particular, Sir, very much satisfy'd of your wishes for his Majestie & the public welfare, and am, with esteem, your most ob[t] hum. Serv[t].

No. DXIX.

The Lord President to the Marquis of Tweeddale.

My Lord, Culloden, 22[o] Dec[r] 1745.

* *

What gives me ane opportunity to write to your Lo[p] at present is, the arrival of the Hound Sloop of War, Cap[n] Dove, from the Thames, with Arms for E. Loudon's Reg[t]; & of a small Sloop from Leith, sent by Mr. Solicitor Gen[ll] to me, to enquire after our condition in this Country. I send this by the sloop of war, to be lay'd on Land at the next post house beyond the Forth; from whence it may be safely convey'd by Express to your Lo[p]; & I enclose a copie of it to Mr. Solicitor, whose letter goes by the Sloop which he sent to me; to the end he may transmitt it to your Lo[p] from Ed[r], in case any accident should happen to the Ship of War.

What has happen'd in this Country since my last, worth troubleing your Lo[p] with, is, shortly, that the arrival of L[d] John Drummond with some Troops from Dunkirk, the numbers whereof were greatly magnified, the Highlanders unexpected success at Carlisle, & their rapid march through England, with numberless fictions publish'd and believed, enflamed the Jacobite Zeal more & more. The Frasers, headed, as my Lord Lovat said, by his eldest Son, had form'd a sort of blockade of Fort Augustus; whilst L[d] Lewis Gordon, in Bamf & Aberdeenshires, was raising Men & levying Money by force & threats of the most severe Military execution. The Money expected from the

Town

Town and Shire of Aberdeen would, as the late provost acquainted me, have amounted to about £13,000. Sterl. The force we had to act with, was the same that I mention'd in my last, with the Addition of a Company of 100 Highlanders, raised in the Town of Inš, the command of which is given to Capn Wm Macintosh, who raised it; & another Compy of the like number raised by Captn Mac Leod of Genzies, of the Mac Leods of Assint, who had been in vain sollicited by Mac Donald of Barisdale to join in the Rebellion, as I hinted to your Loſ in my last. Of this force E. Loudoun took 600; & with them, in the severest frost I ever remember to have seen, march'd thro' Strathherrick, part of Ld Lovat's Estate on the South side of Lochness, to the relief of Fort Augustus. He met with no opposition, supply'd the place with what was wanting, & return'd to Inš the 8th inst.; after letting the inhabitants of Strathherick know what they were to expect to meet with, if they should leave their houses to join the Rebells.

This detachment haveing been allow'd one Day's rest, a disposition was made for relieveing Banf & Aberdeen Shires; & at the same time for keeping the Frasers quiet, if possible. For this end, the 2 Compys of Mackenzies, who had been posted near Brahan, as I mention'd in my last, were call'd in to Inš, on Munday the 9th; & on Tuesday the 10th Ld Loudoun, with 800 men, marched out to Lord Lovat's house of Castle Dounie, to obtain the best satisfaction that he could for the peaceable behaviour of the Frasers; and at the same time the Laird of Mac Leod was detached with 500, composed of 400 of his own Kindred, & 100 of the Mac Leods of Assint befor mentioned, towards Elgin, in their way to Bamf & Aberdeenshire, to prevent the Rebells recruiting there; and they were to be follow'd by as many as could be spared from Inš after settleing matters with my Lord Lovat, &c. by Lord Loudoun.

E. Loudoun prevail'd with Lord Lovat on Wednesday the 11th to come into Inš alongst with him, & to live there under his eye, untill he should bring in all the Arms which the Clan were possest of; which he promised to do against Saturday's Night, excuseing himself from answering for his Son, & some of the mad young men of his name, who he said he could not govern; & some of which, he inform'd us, had already gone to Perth; which we knew to be true, to the number of between 2 & 300, in different small parties. The surrender of the Arms was all that could well be expected from him. As there was no direct evidence of his accession to his Son's treason, of which he was perpetually complaining; & as committing, on suspition, a man so aged, & seemingly so infirm, would have had the appearance of cruelty, therefor Lord Loudoun determined to await the delivery of the Arms; & in the mean time, on Fryday the 13th, detach'd 200 men more, under Captn Munro of Culcairn, to follow Mac Leod to Elgin & Aberdeen; & these were to be followed successively by other small bodys, & by Loudoun himself, when the matter with Lovat was finished. But instead of delivering the Arms at the time prefixed, excuses were made, & fresh promises; which continued from day to day till last Thursday; when Lord Loudoun, finding himself deluded, clap'd sentries on the gate of the house where he resided, resolveing to committ him next morning to the Castle; but in the night time Lovat found means to get out at a back passage, which was not suspected (as, indeed, his attempting ane escape, in his state of health, was what no one dream'd of) & to be conveyed away, probably on Men's shoulders; but whither, we have not as yet learn'd.

This unforseen accident has made it improper for Loudoun to detach any more Men after those that have march'd towards Aberdeen, or to follow them himself; untill we see what turn Lovat, now at liberty, takes with his Clan; or until some more force, which

which we expect, join us at Inverness. In the mean time, the Laird of Mac Leod march'd towards Elgin; & from thence, hearing that 200 Rebells had taken possession of the boats of Spey at Fochabers, & pretended to dispute the passage with him, he on Sunday the 15th advanced to the banks of that river, which the Rebells on his approach quitted, leaving him a quiet passage. From thence he advanced on the 16th & 17th to Cullen & Bamf; whilst Captn Munro of Calcairn, with his 200, on the 17th & 18th advanced by Keith to Strathbogie; & the Rebells who were in possession of these places retired towards Aberdeen. What very much facilitated Culcairn's march was, that Mr. Grant, of Grant, hearing of the oppression of the Shire of Bamf by the Rebells, brought together about 500 of his Clan, & march'd them to Keith, & from thence alongst with Culcairn to Strathbogie, with ane intention to proceed alongst with Mac Leod & Captn Munro to Aberdeen; to which place the Rebells had drawn together about 500 Men, by our latest information, & talk'd of bringing more from Perth & Dundee.

On the 19th it was resolved, by Mac Leod & Captn Munro, to march forward the next morning; the first from Bamf to Old Meldrum, which is within 12 miles of Aberdeen; & the last from Strathbogie to Inverary, which is at the like distance from Aberdeen; & it was part of the plan, that Mr Grant should march alongst with Capt. Monro; but we have had just now information, that Mr. Grant has alter'd his intentions, upon a surmise that some of the Highlanders, returning from Perth, were likely to harass his Country; but whether this information is true or not, & whether Mac Leod & Captn Munro have advanced without him, is more than I at present know with any certainty. If I learn more before the Packet is shut up, or before the Sloop sail, I shall acquaint your Lop.

The reinforcements we look for at Inverness are 2 Compys of Mac Donalds from the Isle of Sky, which have been posted there ever since my last, but were sent for 12 days ago; another Compy from the McKenzies from the Lewis Island; another Compy of the Mackays, in their way from Strathnavern; & a Company of Rosses, now assembling under the Master of Ross, who was landed at Ins from the Hound Sloop of War.

When the Compys, which are of 100 each, arrive, we shall be in condition to support the Detacht sent to Aberdeen, & to perform such other service as circumstances shall discover to be most requisite. Since my last, the Rebells at Perth have had no accession of strength from this Country, except the Frasers to the number of between 2 & 300 already mentioned, & some Mac Donalds of Clanranald's People from Moidart, who marched through Atholl 6 days ago, escorting some Spanish Money that was put ashore in the island of Barray, as in my former I acquainted your Lop. The quantity I do not know; but, as it escaped the vigilance of his Majestie's ships cruiseing in that station, tho' notice was sent to them by Mac Leod, it has been in open boats transported to Moidart, and from thence, on Horses (for wheel Carriage is impossible), to Atholl. The numbers that escorted it from Moidart to Perth were said to be 180; but the Inverness Post, who met them, and who show'd me two peices of Spanish Silver Money which he had on the road, one for sixpence and another for a shilling, says, they do not exceed 60.

From Edin' your Lop has been acquainted with Ld J. Drummond's stile in the Messages his drum carry'd to Stirling. At Aberdeen he caused print a Declaration, which he had caused publish at Montrose; & has published also a letter, supposed to have been written to him, at Dunkirk, by the late E. Marischall, which I suspect to be spurious. I send your Lop a printed copy of the first, & a written copy of the other. He has wrote in much the same stile to Ld Fortrose and others, with a proper mixture

of

of threatning; & Ld Loudoun has had such another letter from him as he sent to Stirling.

By severall persons come from Perth we learn, that the Highlanders there, by the directions of some French engineers, are forceing in the Country, to fling up intrenchments on both the Inches, to repair in some sort Oliver's fort, & to fetch in the Water of Almond, to fill their ditches. Whether this project is their own att Perth, or if they do it by direction of their Commander in England, I cannot tell.

The Advices we have from Edin^r^, of the precipitant retreat of the Rebells from Derby, must necessarily affect our resolutions in this Country; & their fate and purposes must influence our measures. Should they meet with any considerable blow befor they get back to Scotland, I imagine they will think of little, but to get cross the Forth as quick as they can; & if they are warmly pursued I should immagine their leaders will find it difficult to keep them all together; in which case we shall be at greater freedom to act, & to march whithersoever the service may require; but if they shall escape out of England without being overtaken, as it would seem to be the most extream folly to shut themselves up at F^d^, even if they could get into it, on the supposall of their being closely follow'd, I immagine they will press forward to Perth, where probably they will attempt to make some stand; of which designs the beginning to fortify that place carrys some appearance.

Should this be their plan, we may be of some service, not only by preventing their recruiting from the North, but by straitning them towards the East; whilst the Army advances to them from the South; but if they shall be so press'd at Perth by his Majestie's Army, as not to find it practicable to make a stand there, & they at the same time shall be determined to keep together, in order either to give occupation to his Majestie's forces, & wait for invasions from abroad, or to facilitate the escape of their principall men, I doubt their course will be, to come directly through Atholl to this country; & if they march in a body, & bring any Artillery, we in our present condition, without Arms and without Money, shall not be able to withstand them; & they will be able to make themselves Masters of the 3 Forts in a trifle of time; as the regular troops cannot possibly follow them Northwards through the Mountains at this season of the year for lack of forage and provisions; which will give them time sufficient, not only to possess themselves of these forts, but to distress those in this part of the world who have opposed them; & to gather to their assistance all those that wish well to their cause, but who have by our neighbourhood been kept at home. This, my Lord, is a circumstance that well deserves attention. I have frequently acquainted your Lop, that if we had Arms to put in the hands of such of the Clans as have on this occasion show'd their fidelity, & thereby infinitly provoked the Rebells, and Money to subsist them, we could bring great numbers to the field on any emergence, with their Chiefs at their head; & particularly in my last, by the Saltash, I earnestly press'd your Lop for a speedy remittance of money, which now is very low with us, as well as a supply of Arms. I am hopefull both are directed before this time, or at least will be sent immediately after the receit of this. If they come in due time, we shall be able to put Arms into the hands of 2 or 3000 Highlanders, to resist ane impression which otherwise may be not only fatall to Gentlemen who have at this juncture deserved signally well of his Majestie, but may tend to lengthen out our confusions till the spring, &, by weakening the hands of Brittain, give infinite advantage to France & Spain, to the very great danger of the libertys of Europe. I ask your Lop pardon for the earnestness of this expostulation, which I do assure you proceeds not so much from concern for my person or fortune, as it does from a warm regard for the Interest of his Majesty & the publick.

The

The length of this letter your Lop will forgive, because the occasions by which one can write come so seldom. I will tire your Lop no further, by saying any more, but that

I am, with perfect respect,
My Lord,
Your Lop's most ob[t] and most humble Serv[t], &c.

No. DXX.

Part of a Letter from the Lord President to the E. of Stair.

My Lord, Dec[r] 22, 1745.

The last letter I did myself the honour to write to your Lop was by the Saltash, of the 14th of Nov[r]; which I accidentally know you received; as I doubt not you have seen & considered mine, by the same conveyance, to the Marquis of Tweedale, to which it referred. This goes by the Hound Sloop of War, which brought me yours of the 18th Nov[r] with my Son, who, in Company with the Master of Ross, arrived ten days ago. By this conveyance, I have wrote a very particular letter to the Marquis of Tweedale, stateing the condition we are in; what we have been doing; what we intend to do, provisionally; what we want, & what we apprehend. I will not give your Lop the trouble of repeteing it, because you will see it; &, if I am not much mistaken, will think it deserves serious attention.

It is a little discourageing, my Lord, that endeavours so sincere, &, if you will give me leave to say it, so successful, for the support of the Gov[t]. & the security of England, as ours have been, should be treated with such neglect. And though there might be some excuse for not minding us whilst an enemy was so near London; yet if, when that danger is happily removed, care is not taken to supply our wants, when without such supply we shall be in no condition to defend ourselves from the warm resentments of the Rebels, or to do any further service to the Gov[t]; the danger, dishonour, & expence, that may ensue, on the continuation of a Rebellion in this corner of the Country till the Spring, cannot be chargeable on us; nor can any honest man, who lyes at such a distance, be blamed for the future, if they sit still with their arms across, should any other disturbance emerge, which I pray God may forbid.

You see, my Lord, I write with some emotion; & it is no wonder; for I must look upon myself as the cause of all the sufferings of those who I have prevail'd with to risk every thing in defence of the Gov[t], should the Rebells prevaill over them; & that for the want of those supplys which I perswaded them they should have, & which had they received, or if they yet shall receive in time, every thing must be safe. Your Lop, I am persuaded, will feel the Justice of my complaint; and I am confident there is never a man in England but must, if the case is fairly stated to him.

As to the dispositions of the Commissions for the Independant Comp[y]s, & the caution which your Lop has been so good as to give me, in yours of the 18[th] of Nov[r], against giveing them, when the danger seems to be over, to such as might not be willing to take them whilst it subsisted, it is impossible, in the hurry which I at present groan under, to give you the particulars in detail, which one time or another you shall have, not a little to your entertainment.

What I shall trouble your Lop briefly with is, that there are 18 Comp[y]s of 100 each actually a-foot; whereof seven with Mac Leod, endeavouring to support the Gov[t] in Bamf & Aberdeen shires; six with E. Loudoun at Inver[s], & five more in their way to it. The Mac Donalds, raised by Sir Alex[r], which compose 2 of these 5 Comp[y]s, I look

look for at Inverness the 24th or 25th, & the rest soon after; & there is not one of the Companys given, but to such as undertook the service when in this Country it seemed the most desperate. And if the remaining Compys shall be disposed of, they shall be given in the same way.

I know, my Lord, I have enemys (I hope not many amongst those that love their King & their Country); & I doubt not I shall meet with severall criticks of my Conduct; but the censures of such as durst have put themselves in my place will be few, & the faults flowing from my heart will be none; for such as may have been oweing to my head, I have no other excuse, but that I acted according to the best of my understanding; & as to who shall have the thanks or the merite of what may have been done in support of the Govt, I am very indifferent. I have done what I think every honest Man ought to have done; & upon this single principle, that I thought it was my duty. If any man will take to himself the merite of my endeavours to serve the King, or, to raise the value of his own, he will depreciate mine, let him; I scorn to contend for such trifles, & can with great tranquillity despise the creature that has them for the object of his pursuite. But these reflections have carried me out of my way.

From Loudon's letter you will be informed of any thing that may be omitted in mine to the Marquis, or in this.

No. DXXI.

The Lord President to Sir Andrew Mitchell. Same Date.

Dr Sir,

I HAVE had your packet by the Hound Sloop deliver'd to me by Mr. Gordon; & I have had since his arrivall a letter from you, & another from his Brother, recommending him to my care; together with one letter more of the 7th inst, acknowledging the receipt of my dispatches by the Saltash. For your goodness in transmitting to me the Magazines, &c. I thank you. As to Mr. Gordon, who seems to be a pretty young Man, he may be sure of my best offices; tho' upon the Plan which the necessity of the service obliged me to pursue in raising the Independant Compys, which was to give the nomination of the officers to the well-affected Chiefs who could instantly produce the Company, it was not possible to give him a Commission. I have, however, recommended him in the strongest manner to E. Loudoun, whom he will attend in the remainder of this ill-favour'd Campaign; & what service I can do him shall not be wanting. I am obliged to you for yours of the 7th, which came to me by a Sloop from Leith, dispatch'd by the Solicitor, because it gives me notice, that what I wrote by the Saltash is come to hand; & hope that some time or another the supplys sought may come under Consideration & be ordered; tho' give me leave to tell you, my dear Andrew, it is somewhat mortifying, that when men are exposeing themselves, as we are doing in this Country, & thereby doing what we know to be very essentiall service to the Govt, our safety, if no more were in the question, is so slightly treated, & this country left unguarded, to be possibly the seat, for some Months, of a War, that may cost Brittain immense sums & very great danger; when small attention, & the timely supply of a few thousand stand of arms and a few thousand pounds, would in all human appearance prevent such fatal consequences. It surprised me, I own, to find in neither of the Packets to me any letter from my Lord Marquis, tho' there was one to the Mod' of the Synod of Murray, in answer to a letter with ane address, which was transmitted alongst with my last dispatch: this must have been owing to some accidental mistake, in mislaying the letter, if any such was written; or, more probably, to the hurry the ministers may have been in, which

prevented their takeing time to come to resolutions, & give directions on the demand I made. The nearness of the danger, which was at that time approaching London, may have been the cause why they overlooked one that was more remote; but as that allarm must have worn off in a day or two at farthest after the date of your last, I am hopefull they have before this time thought in good earneſt of our case, & sent us the supply desired. If they have not, the consequences I am affraid will be severely felt. Beſides the want of Arms, our Money is almost spent; but if this have a quick paſſage, & if upon the receipt of it the supplys are immediately dispatched, they may happen to come before it is too late; especially if the Rebells choose to make a ſtand for any time at Perth.

To underſtand distinctly what I write, with the reason for my writeing so, you must conſider my Letter to my Lord Marquis of this date, which I presume you will see; & my reason for writeing to you so urgently on this subject, in terms which might possibly be not altogether so proper to put in a letter to his Lop, which may be seen by other eyes, is, that My Lord may know, and be able to express to the Miniſters who must cooperate with him, the sense I have, and what I fear all those who act alongst with me generously in this country, will soon have, of the neglect with which we are treated, if what I complain of is not speedily remedied. I have nothing further to say, My Dear Andrew, but that in this rude season, & under no small fatigue, I hold out wonderfully well for ane old fellow. The only thing I can ascribe it to is, good providence; & the antient observation, Si natura negat, dabit Indignatio.

I am sincerely
Yours, &c.

No: DXXII.

Lord Lewis Gordon to the Laird of Mac Leod.

Sir, Aberdeen, Decr. 27th, 1745.

I RECEIV'D your Letter by express last night, dated from Gordon Caſtle ye 24th All the care in our power has and shall be taken of your wounded Men; & all the Prisoners yt were taken under their Arms shall meet with all the Civility in our power. But for Regent Chambers, Forbes of Eight, & Maitland of Petrichie, who have acted the infamous part of Spys & Informers, and the two last especially, who have given a great deal of bad advice to a certain great Man who shall be nameless, it is neither consistent with my honour or inclination to treat them as Prisoners of War. I shall take care to order supplys to be given to all the Prisoners who want them, & the wounded men are as well taken care of as our own.

I shall send you a liſt of the Prisoners & wounded, with any useless papers & letters, as soon as poſſible; and any other thing yt we can reasonably agree to, shall be done with pleasure. I think I have now answered the most material parts of your Letter. You will much oblige me in offering my Compliments to Ld Charles Gordon; & I am,

Sir,
Your moſt humble Servant,
LEWIS GORDON.

As I do not know where this will find you, I think the most proper direction is to Duncan Forbes's House.

Colonel Colbert desires his compliments to be made to his Broyr Castlehill.

[Addressed "To the Honourable
ye Laird of Makcleod, att
Duncan Forbesse's House near
Inverness. These."]

No. DXXIII.

The Earl of Sutherland to the Lord President.

My Lord, Dunrobin, Decr 31st, 1745.

AFTER wishing your Lordship a happy new year and many of them, I must acquaint your Lop̃ that the uprightness of my own heart, and the constant attachment of my family at all times to support the Protestant cause, had, I thought, put my sincerity to serve his Majesty, and his interests, past all doubt and question with all men; yet I find myself mistaken in this opinion by some things that dropt from the Lyon when lately here.

My Lord, I offered to join Sir John Cope with 6 or 700 men. I believe I have, by letters and messages, let your Lop̃ understand that all the men I had were at his Majestie's service, if wanted; but lest I should have been hitherto misunderstood, I do hereby tell your Lop̃ that my person, my estate, and all the men I have a right to command, and such as I may or can have any influence with, will be at his Majesty's service when called for. The number your Lordship called for from me were sent you in less time after notice came to my hands, than any other men at the distance from you that I am. More would [have] gon had it been asked; yet objections have been made at the number and at the men. I will expect from your Lordship's known candour, that you will put a stop, as occasion offers, to such malicious suggestions and insinuations; especially when they come from such, whose greatest merit consists in finding fault with those that are more capable to serve his Majestie than themselves, and always have been willing.

I am, my dear Lord,
Your Lop̃'s most oblidg'd humble servant,
SUTHERLAND.

No. DXXIV.

The Lord President to the Earl of Sutherland.

My Lord, Culloden, 2^d Jany 1746.

THIS morning I received the letter which your Lop̃ did me the honour to write to me of the 31st Decem^r; and with it no small surprise, to learn that any body should be so foolish, as to disparage yor Lop̃'s zeal, or service, on this important occasion; or so wicked as to suggest, that any hint of that kind came from any one who knows what the support of his Majestie's government requir'd, and how contributary your Lop̃ has been to it. I am hopeful that either your Lop̃ misunderstood the Lord Lyon, or that the reflections he mentioned to you came from some very low, ill meaning person, who was not acquainted with the truth; which is, that your Lop̃, from the very beginning of those unhappie confusions, have shown the most becoming zeal and forwardness for the maintenance of his Majestie's just right, and of the religion and liberty of this country; that you furnished the troops called for, with an exemplary promptitude and alacrity; and that you over and over again offered to march with your whole posse, if occasion required; an offer which nothing prevented your making good, or our accepting of, but the want of arms and subsistence, which most certainly was none of

your Lop's fault. I hope, therefore, yor Lop will not suffer yourself to be under any uneasiness from so foolish a falsehood; nor fancy it can make any impression elsewhere, against the concurrent reports of the E. of Loudoun, & of

Your most obedient and most humble ser^t
DUN. FORBES.

I beg yor Lop may make my compliments to my Lady; & wish her from me, as I do yor Lop, a happy year, and a great many more such.

No. DXXV.

Mr John Forbes to the Lord President.

My Lord,

I take the opportunity of the sloop which the government sends, to assure you of my best wishes, & to congratulate you upon the figure you make in this part of the world; who are surprised to find a man, without views, standing up for the rights & libertys of his country, just upon the brink of falling into eternal misery and confusion.

It would be presumption in me to pretend to inform you of numberless transactions here, who assuredly have these accounts from better hands: but I wish to God your interest of persuasion, joined to the opinion the world has of your disinterestedness, and the knowledge they agree you have of your country, cou'd be convey'd here, to second good Lord Stair's, in the many though fruitless attempts his Lordship has made to save, if possible, the ruin of the north, and effectually finish the rebellion before the spring. But, at present, any proposalls from Ld Stair are, I am afraid, neglected, lest by their success he should gett power, which is not the interest of the present ruler; who, although not publicly declared, yet privately manages the Scots affairs, with the same despotism he ever has done.

We flattered ourselves here, that the Duke was to go to Scotland himself; but that seems now to be no longer believ'd, and the whole burthen [is] left upon Hawley, and your old friend Hugh, his aid-de-camp. No mortal disputes Mr. Hawley's genius for the management of a squadron, or prosecuting with vigour any mortal to the gallows; although, at the same time, they wish that he had the lenity to make converts, or the absolute force to make all fly before him. But he has only 15 Batt^ns, some of these extream weak, and Ld Cobham's drag^ns, to join those who distinguish'd themselves at Preston. This moment an express tells us, the rebels are march'd to attack Stirling. As, probably, Mr Hawley will go to relieve it, before this reach you the fate of Scotland may be determined, on which our other schemes depend. For it will appear odd to you, that this great kingdom is by trifles either raised to a prosperity that exceeds impertinence, or falls from the smallest adversity below compassion. Wee at present beginne to breathe, as the rebells have retired to Scotland, which, to the generality here, is the same as Norway; and that they no longer are in terrour from the invasion, and now indeed countermand (as we are told) the Hessians and our own 18 squadrons, and are become so brave, as to think of sending troops to Flanders, and by May next to invade France.

Lord Stair, in his letter to Lord Loudoun, which no doubt you'll see, has discuss'd all the matters of business; so I have no more left, than assuring your Lordsp, in my low capacity,

I am very much your devoted slave,
and most humble serv^t.
JO. FORBES.

London,
January 9th 1745-6.

No. DXXVI.

The Duke of Argyll to the Lord President.

My Lord, London, Jan. 10th, 1745-6.

IMMEDIATELY upon the receipt of your Lordship's letter, I recommended Mr Corse to the law chair at Glasgow, as you desired, & that in prejudice of a friend of my own. I found the Scotch administration advised the king to delay the disposing of it; but Mr. Pelham obtained in the closet assurances that Mr. Corse should have it; & I believe the Duke of Newcastle will now soon send down the warrant. I was very glad to have this opportunity of obeying your commands, & the more so that I owed it you. It is a great pleasure to me to find that Macleod has behaved himself in so handsome & so zealous a manner. I had answered for him in such positive terms, that I have great reason to rejoice at his having but done all I said in his behalf.

I am, my dear Lord,
your most obedient humble servant,
ARGYLL.

No. DXXVII.

General Wightman to the Lord President.

My L. P. Edinburgh, 14th January 1746.

I WROTE you from Newcastle by your coal messenger, and I have written you since I came home under W. F's cover; but have not as yet heard from you. As this comes privately in the ship which Ld J—ce C—k sends, I need not write you any thing about the rebells, and about the army which is on its march against them. I only say, it's uncertain as yet whether all who were on the north side of Forth be come over to this side to joyn the Pretender. If they are not come, the Pretender, and those now with him on this side, will scamper away to Perth; if they are come, as they have got over their cannon, it's probable they will stand a brush; and it's more probable they will [be] destroyed or dispersed. Gll Campbell is advanced to Kirkintilloch with 1000 Argyleshire men; but the transports yt should have brought hither the Hessians are frozen up at Helvoet Sluys.

Lord Balmerinoch* is dead. We met at Belford & travelled togéther to Aldcammas, & on that occasion commenced intimate acquaintance; having had some tete-a-tete conversations, in which he shewed himself another kind of man than I apprehended him to be.

The sq—n is totally routed; the D—ke and J—ce return into power in the same shape they formerly were, which bodes no good to this city and country. The J—ce made up to me at Newcastle, and I did some little things for him, & among others introduced him to Mr. Ridley; but we no sooner parted, than he broke squares, and thenceforth I don't know him, nor have I so much as seen him, till yesterday, that we met at Gl Hawley's Levee; when I forced him to make a bow to me, ere I made one to him. I am quite independent, and act in my own sphere, and find ways and means to know more & sooner than he does; qh gravels him not a little. It's surprising to see so much order and quiet in this place when there is no magistracy. I am endea-

* One of the judges of the Court of Session.

vouring

vouring to promote the measure of a new sett; I hope with some success; and were you here to give life to the well affected inhabitants, I should hope it might in due time be brought about. The zeal which the inhabitants have shewed in accommodating the troops will help to ridd us of the suspicion of jacobitism; but we have a pack of vermin within our walls, who take unaccountable libertys, of whom I hope we shall be for ever ridd ere long.

I write this chiefly to begg your coming hither, that you may be a checque upon the D—ke and the J——ce, and may take the Government of this Town till we get a new constitution of Government. All the Inhabitants will petition for a Commission of Lieutenancy to you, which will put you upon a Par with the D—ke, and enable you to do more, to put spoaks in his Wheel as formerly, when you was L^d Ad——t. Your Country calls upon you at present loudly to act for it; I beseech don't be deaff to it, by staying longer where you are than you needs must.

I'm in no pain about the Rebells, were they much more numerous than they are; but I^m much affraid the whole force of France & Spain will be bended against both Holland & us in a few weeks. If they land Armies in the Island, then I know its fate, as I think I formerly hinted to you. Herewith you have the postscript to the Letter I sent you by Hugh Inglis, and three other Pamphlets, all bound together under the title of The Edinburgh Packet Opened.

I have not heard from G. D. of late; but I heard of him this Week from Mr Ridley; who tells me a friend of his at Newcastle told him, that he was married to the quakeress at last. If it is so, I wish it may answer expectation; but I'm afraid it will not, when I consider his manner of carrying on the Courtship, and his concealing his Circumstances from her. I have written him urgently to come home; for which there are many reasons; and hope he will either come, or give me a solid reason why he does not. I beg to hear from you; and only add, that I ever am inviolably

Your's, &c.
ROBERT WIGHTMAN.

No. DXXVIII.

The Lord President, to the Duke of Newcastle.

My Lord, 26 Jan^ry 1746.

The letter which your Grace did me the honour to write to me, of the 11th inst.* was brought hither by a small Vessell from Leith on the 21st. I am very sensible of the obligeing expressions of your good will; and the more so, that the kind Countenance which your Grace has been pleased to shew me at all times, since I first had the honour to be known to you, convinces me of their reality. I shall therefore with pleasure obey his Majesty's Command, in giveing your Grace the trouble of a Letter, when I have any thing to say that may be for the service of the publick.

My last to the Marquis of Tweedale, which I presume has been laid before his Majesty, was of the 29th Decr by the Saltash. Since that period no alteration of any consequence has hapen'd in this part of the country. The want of Arms to put in their hands, and of money to subsist them, made it impossible to call in a further force from the well affected Clans to Inverness (which is in some sort the key of this Country) for its securitity; whilst, with the troops already on foot, we might have proceeded South-

* No. 308, in p. 264.

wards

wards by the Coast, to have straiten'd the Rebells; & our uncertainty of the strength or intentions of the Rebells who escaped from England, & who might (so far as we could see) have thoughts of directing their course this way, obliged us to content ourselves with secureing this post, keeping the disaffected in this neighbourhood in awe, & protecting the Country on this side the Spey from the levying men and money projected by the Rebells. In this we have hitherto succeeded, tho' oppress'd every moment with the gloomy apprehensions of being soon obliged to disband the troops we had for lack of subsistence, in place of doing what further service might reasonably have been expected from us, had we been timeously supply'd with the arms & money we call'd for.

From this anxiety your Grace's Letter has in a good measure relieved us, by giveing us notice that orders have been issued for providing forthwith a Sloop, to convey to us a 1000 stand of arms, with a sum of money for the payment of the troops. Immediately after receiveing this intimation from your Grace, we took the necessary measures to have in readiness as many of the well affected Clans as, upon the arrivall of the Sloop, we can arm; and with those, soon after the arrivall of the Sloop, we are in hopes of being able to perform some useful service. But I must take the liberty to suggest to your Grace, that the number of arms sent is too small; double the number might be profitably employ'd; &. if there should be no occasion for employing them, they might be lock'd up in Fort George, or return'd to the Tower. What money the Sloop carrys we cannot know, as your Grace has not mention'd it; but be it ever so small, it will be welcome, as our cash is run very low. I must, however, also on this subject, presume humbly to suggest to your Grace, that the contingent expences run pretty high with us; that they must run still higher, when we call in a posse, which we must subsist; that, as there is neither Coins nor course for Credit in this Country, we have no fund to put our hand to for defraying those extraordinary expences, but the money intended for the pay of the troops; and therefor that it is absolutely necessary to make such a remittance in money, to be accounted for, as shall answer these occasions, & enable us to make use of the power that is in our hands for putting ane end, as speedily as it is possible, to this destructive Rebellion; the continuance whereof for weeks, at this season of the year, & in the present situation of the affairs of Europe, may be of the worst consequence.

By the same conveyance which carry'd my last letters to the Marquis of Tweedale, E. Loudon & I wrote a letter to the officer commanding in Chief his Majᵗʸᵉ's forces then marching into Scotland, acquainting him with our condition, and desireing to receive from him directions, or such information of his force & views, as he might judge proper to communicate, & should enable us to resolve in what manner it was most fitting for us to endeavour to co-operate with him. The same Vessell that brought your Lop's from Leith brought us an Answer from Genˡ Hawley, of the 12ᵗʰ Currᵗ, acquainting us with his force, & with his intentions of marching to dislodge the Rebells who had invested Stirling; and leaveing us to act as we should judge most conduceive to his Majᵗʸᵉ Service. This intimation, together with the signification from your Grace that we were speedily to have a supply of arms & money, made us come to the resolution already mention'd, of provideing men from the well affected Clans; and we wait at present with the outmost impatience for the arrivall of the Sloop, that we may be in a condition, as soon as possible, to extend ourselves along the sea coast to the Southward; which now appears to us to be more necessary than ever; as the Rebells, who are Masters of all the Country between this & the Forth, have industriously publish'd, & gain credite to a report, that they have gain'd a considerable advantage over the King's Troops near Falkirk; under the favour of which, all their friends & emissarys are att

work,

work, endeavouring to recruit & even to increase their numbers. We are hopefull this report is false, at least for the greatest part; & we have by this conveyance wrote to Gen[l] Hawley, desireing to be better inform'd, acquainting him with our condition & views, & calling for further directions from him.

The signification your Grace is so good as to give, that his Majesty is pleased to approve of my poor endeavours to serve him, is, you may be sure, very encourageing to me. The truth is, I have honestly & fairly done all in my power for his service; but then I have done no more than what (setting aside my duty to my sovereign, to which I was bound by the most solemn oaths) his particular indulgence for & confidence in me call'd for irresistibly at my hands; & his Majesty may rely on it, I want nothing but greater ability to serve him better. Your Grace will, I am confident, believe that I am very faithfully Your most ob[t] & most humble Serv[t], &c.

No. DXXIX.

From the Earl of Loudoun & the Lord President to Gen[ll] Hawley. Same date.

Sir,

We received, by ane open Boat from Leith, the Letter you did us the honour to write to us, of the 12th inst, acquainting us of your intentions to march against the Rebells, in order to dislodge them from the neighbourhood of Sterline; & suggesting the propriety of getting possession of Montrose. The same Vessell brought us letters from the D. of Newcastle, of the 11th, giveing notice that a Sloop with 1000 Stand of Arms & some money to pay the Troops, was furthwith to be sent us from the Tower. This Sloop, which is exceedingly long'd for, not only on account of the Arms, but on account of the money, as our cash is very near out, has not as yet appear'd; but in expectation that she will soon, we have sent Messengers into the Highlands, to have in readiness as many of the well affected Clans as we shall be able to arm and subsist when the Vessell arrives. With those we propose to secure Inverness; & with the Troops now on foot, to march whithersoever the service may require. We agree with you perfectly in opinion, that possession of Montrose, with a force able to keep it, would very much straiten the Rebells, & be a mean of dislodgeing them from Perth, should they come to make their stand there; and when the arrivall of more troops, or the weakening of the Rebells by any Action, makes it proper for you to spare any force, to support any impression that may be made that way, we shall be able to march 10 or 1200 Men, perhaps more, as our assistance expected from the Highlands may arrive, to lay hold of Aberdeen & Montrose; but then, as these are open defenceless places, we cannot propose to keep them without considerable assistance of regular Troops, should the Rebells be able & disposed to bend their whole, or the greatest part of their force that way; & at the same time, if we shall weaken ourselves too much here, we may tempt them to direct their course to Ius; of which should they make themselves Masters, it will become still more troublesome to dislodge them; not only as the march of the troops along the coast must take up much time; but as, if they should get possession of this Country, they will be able to incress their force, by the junction of numbers of disaffected persons whom we have hitherto been able to keep in order. It is on these considerations, that we cannot think of altering our present disposition until the arrivall of the Arms expected put us in a condition to augment our force, & until we receive further directions from you, upon your knowing the state of our case, & the views that govern us. It will, perhaps, let you into the necessity for our being wary, that we tell you what effect a story, told two days ago, w[ch] we believe & partly know to be a lye,

has

has had over the giddy & disaffected multitude in this neighbourhood. The Rebells have published, and amongst their wrong-headed followers have propagated a firm belief, that on the 17th they gain'd a victory over the King's Troops near Falkirk, and made themselves masters of their Artillery, Baggage, &c. This story, by the report of ane illiterate Countryman, who left Edr Sunday morning after the troops came back to it, as well as by the inconsistency of the tale which they publish, we know not to be true to the extent they talk of; & yet such is the giddyness & credulity of the disaffected, that numbers are set agog with this story, & may, if not overaw'd, play the fooll after haveing been kept quiet so long. As we are satisfy'd they have described that transaction in very false colors, we believe it would be for the service, to give us as soon as possible (if you have not already done it) a true relation of what happen'd, that we may be able to cure the multitude of the infection they have received from this tale.

What we now write goes by the Speedwell, of Kinghorn, Miller Master, who brought us your letter & the Duke of Newcastle's. What comes in these open Boats, which cannot in a gale keep the sea, but must creep for shelter into Travebrough, Peterhead, or any of[r] Tide Harbour by the way, may fall into the Rebells hands; & therefor we take the liberty to suggest, that it would be much for the service, to employ any small Sloop of War, if such could be spared, for conveying Orders and Intelligence. Our last letter was concluded with words of common stile, as we did not certainly know for whom it was; but now, as we know we write to you, we say with great sincerity, that we are,

Dear Sir,

Your most ob[t] & most humble Serv[ts], &c.

No. DXXX.

Provost Hossack to the Lord President.

My Lord,

I AM very much in hopes that your Lop may have received certain Intelligence, that by the Battle of Culloden, under the conduct of His Royal Highness the Duke of Cumberland, and the favour of Almighty God, the Rebellion, to humane appearance, is intirely overthrown. The engagement, I say, on Wednesday last, about one o'Clock, was very warm. The Duke's Army behaved well, as if they fought for the liberty of their Country; and, indeed, one wing of the Rebells fought as if they meant to win or dye; many of them are killed, wounded, and made Prisoners; and believe between 3 & 4000.

The French Ambassador delivered himself a Prisoner, as all the French officers have. Lord Kilmarnock is a wounded Prisoner. It's said Earl Cromerty, Lord Mackleod, &c. are made Prisoners, after a sharp engagement, by the Earle Sutherland, & La Reaye's people. Many of the Chiefs of the Rebellion are killed; also taken. The loss upon the Duke's part does not exceed 50 killed, including 4 Officers. I have only said so much as gives your Lop evidence of the glorious victory, and the subduing of Rebellion. It's doubted if the Prince Pretender has any even in the name of Guard for the protection of his person. 1000 Men are now encampt in the Aird, 500 were in Strathearn; & returned prisoners are daily taken up. The Chief loss among the Rebels is of the Clanchattan, Keppoch, Clanrannald, and young Inverallachy, among the slain.

Ships of War and store ships attended the Duke along the Coast from Aberdeen. His Army now here is well provided, there being twixt 30 and 40 in our Road and Harbours.

I presume to think there is no body of the Rebells in the way your Lop has to pass; though the dispersion will turn many loose, and make travelling dangerous. It's of the utmost consequence for your Lop now to leave a Country which was not provided w^h Bread for it's native people. This Argument I do not insist on, nor on others yet more important; but begg your Lop would w^h the necessary defence proceed; for My Lord Loudown's and Macleod's motions will require to be more leisurely.

Immediately after the Action, Capt Hugh Forbes apply'd [to] his Royal Highness; & he ordered 50 Men wth Officers to protect the House, Policey, and Lands of Culloden. The Troops are numerous, and the Country pillaged by the Rebells; the Troops therefore are more irregular than otherways could be tollerated. Thos Steuart sent off a Mess^r for your Lop immediately after the Battle. I pray God your Lop, & all his Majestie's friends with you, may get here soon in safety; & I am,

My Lord,

Your Lop's most faithful Servant.

Inverness, 19th April 1746.

No. DXXXI.

The Lord President to Mr. Scroope.

Dear Sir, 13 May 1746.

IN every pinch I resort to you, & I know you expect I should.

Above nine months ago my zeal led me into this country, to quench a very furious Rebellion, without arms, without money, without credite; & if the King's Enemys are to be credited, my endeavours were attended with some success. His Majesty was pleased to intrust me with the disposition of Commissions for raiseing some Independ^t Comp^ys; which I accordingly raised & employed, I hope, usefully. The Marquis of Tweedale, then Secretary of State for Scotland, acquainted me by order, that for supplying any extraordinary expence, I was to draw on Mr. Pelham; but the totall interruption of correspondence made my receiving Money on such Draughts impossible, & I was forced to supply the necessary expence, after employing what Money of my own I could come at in this country, by borrowing upon my proper Notes such small sums as I could hear of. The Rebellion is now happily over; & the persons who lent me this money at a pinch, are now justly demanding Payment; & I, who cannot coin, & who never hitherto was dunned, find myself uneasy. The whole of the small sums does not exceed £1,500. Now, if Mr. Pelham would either impress that Money into the hands of Geo. Ross, or any other person, to be remitted to me to account; or if he would authorize me to draw upon him, or upon any other person whom he may direct for that sum, in like manner to account, it would tend much to the quiet of my mind. I have of this date wrote to Mr. Pelham on this subject; & now I give you the trouble without blushing, because I am hardened to ask favours, by the many I have received. As I have executed the trust the King reposed in me, as to the raiseing Indep^t Comp^ys in the North, with great fidelity, & I hope with success, I look upon them as Children of my own; & I imagine you will therefore consider them as remote relations at least of yours. They have not yet been put upon any regular establishment for lack of the names of the officers;

officers, and of the date of their Commissions, occasioned by the interruption of correspondence, & by my various peregrinations. I have at last made a return of those particulars which possibly may be unformall. But I trust you will, as far as possible, supply defects, & direct that their establishment may be as beneficial to them as reason requires.

Now, dear Sir, I come to the last, & to the most material thing I have to trouble you with; & that is, to ask your advice & instructions, to the getting whereof I have a sort of right by prescription. Here have I been for above nine months playing the Knight Errant; at least acting with a perfect heart, however sound my head may have been, out of my profession. The publick danger is now, thanks be to Providence! happyly over; & I do not see what I have to do, but to return again to the plough, which I have for so long deserted. Whether Men with you will think that I have been mad or sober, well or ill employ'd, whether they believe that I have, or that I have not done any service, & whether it is likely or unlikely that, by advice, or otherwise, I may be of any use to put a finall end to this desperate rebellion, or to prevent dangers from such attempts for the future, are matters that I am utterly ignorant of, & can hardly expect light in from any body but yourself. You have opportunitys to know what construction my conduct bears; & you are so thorowly acquainted with me, & my disposition, as well as with the disposition of our Rulers, that you can easyly judge, whether it is fit for me, in hopes of doing some more good, to give myself any further trouble; or whether it is not more expedient to ly still and be quiet; leaving to those of my Country who know nothing of the matter, & who have chose to take no part of the risque, to direct as they shall think fit. If you deny me your advice, I shall be altogether at a loss; & if you do not give me your opinion of my conduct, I shall be apt to conclude you disapprove of it, which will very much mortify,

Dear Sir,
Your affectionate friend & faithfull Servt, &c.

No. DXXXII.

From Sir Andrew Mitchell to the Lord President.

My Dear Lord, London, 6th April 1747.

THIS serves to accompany a Letter from Sir A. F.; the contents of which will I believe be as great a surprise to you, as the proposition was to me when he first made it. It came entirely of himself, without any suggestion from me whatever; and I have again and again desired him seriously to consider of it, to be sure that no seeds of repentance are left in his mind: this he assures me he has done, but still continues of the same opinion.

As you have long been my Oracle, you will forgive the freedom I take with you on this occasion; first, to desire your advice as to the expediency of my being in parliament; and then to ask your opinion as to the probability of success, and as to the means I should make use of. But, in order to enable you to satisfy my requests, it will be proper to acquaint you with my inclinations, connexions, and views.

As to the first, I own my desires formerly were stronger than they are now; and I have seen so much of the management of parties, and known too many members, to think of the H. of Com. as I once did; yet still I find my wishes of this kind are not

 extinguished;

extinguished; and I fear there is hardly any other road open to me, now that I am cutt off from my profession, & in no train of business.

I need say little on the 2d head, as I have always conversed with you without reserve. You are already well acquainted with my situation in this Country. If words are to be depended on, I have reason to expect favours from those who have it in their power to give; and what promises have been made me, I have the pleasing vanity to think are neither owing to mean arts, nor to cringing behaviour; but still the promises of great men are lighter than air; and their dispositions more uncertain than the weather. The only way, therefore, to fix them is, to be in a situation to serve or to hurt them. If I had a proper foundation to attempt the County, I have hopes of the D. of N. and his Brother's concurrence; but, on the other hand, every thing is to be feared from a certain eminent personage, who does not chuse that his Countrymen shou'd be known to, or connected with, any body besides himself.

My views, I confess to you, are neither so honest nor so disinterested as they have been. I desire, nay I am resolved, to act a fair & honourable part, if ever I shall be in Parliament; but I do propose a reward for myself, that of being employed, either at home or abroad, in a station agreeable to me, & in which I may be usefull; for my ambition at present is stronger than my avarice.

It is now several weeks since Sir A. first mentioned this affair to me. As it is necessary to come to a resolution soon, not only what is to be done, but how it must be done, I beg you will think for me; as I depend on your judgment more than on my own. If you approve of the hint in the Letter, no time should be lost in putting it in execution; perhaps my being known here to some in the Ministry may be no objection to Ld.B.; besides, I have the honour of his Lop's acquaintance, and received great civilities from him at the last Genl Election; owing, I suppose, to my best friend the late D. of Argyll.

Sir A. thinks that if Lord B. cou'd be secured, we cou'd make a figure without *the Court assistance;* and with it, that we shou'd have no difficulty; but the best title to ask for it is to have some interest of one's own. The freeholders in this County are numerous; many of them needy; others wanting favours for their relations who have been in the Rebellion; all which extends the interest of the Minister to such a degree, as to make success almost desperate without him; and as to general assurances, they are not to be trusted, unless my friends here will so far make a point of it, that I may have no dependance on *one great man* in whom I have no faith.

9th April.—This should have been sent by Lord Lauderdale; but unhappily missing of him, I send it under Mrs Maclaurin's cover, and hope it will come safe. Sir A. talks of setting out next week; though I doubt he will not get leave, as there is a call of the House.

As Macleod has wrote to you by last post, I need not be particular. I hear the Ministry are very angry with the D. of A. with whom they had concerted every Clause in the Bill, and, as the Chancellor said, depended on his assistance, &c. to carry it thro'; that he has left them in the lurch, all his friends being either absent, or voting agst the bill at the first reading. This, his Grace says, they did without his knowledge; but if he can persuade them of this, I think he has gained a great point, and may afterwards do what he pleases. Had he opposed in due time, and openly, perhaps the Ministry might not have thought proper to push a point of this sort against the Majority of a national representative; but they depended on his assistance; they had it in the drawing and correcting of the Bill; nay, they even submitted to the amendments of his Advocate; but all would not do; for, without telling the Ministry, his people had

their

their cue, & went off to a Man. I think this is a coup de maitre; and if the * succeeds, he shou'd be declared Lord H. Treasurer for life.

Lord Lovat, I hear, died well; several people are killed and wounded by the fall of a Scaffold. Your's of the 31st March I received this morning.

I ever am your affectionate

A. M. †

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* Sic in Orig.

† Sir Andrew Mitchel, of Thainston, in Aberdeenshire, was a man of the greatest respectability; and so much a favourite with the Great Frederic, as to have slept in his Tent generally during the Seven Years' War. M. Thiebault, in his "Anecdotes of Frederic," gives the following account of Sir A.'s Embassy to Berlin: "Sir Andrew Mitchel had been for several years the English ambassador to Berlin when I first arrived there; some time, however, elapsed from this time before I had the least acquaintance with him; not only because it was little to be expected that Englishmen should be desirous of the society of Frenchmen, but also because Sir Andrew Mitchel was of the number of those meritorious characters who stand in no need of perpetual society to his existence, and have the philosophy to prefer being occasionally alone. When he first arrived at Berlin, he had caused the persons who necessarily invited him to their houses considerable perplexity; for he played at no game of cards, so that his hosts constantly said to each other, "What shall we do with this Englishman who never plays at cards?" In a few days, however, the contest was, who should withhold himself from the card-table, and have the advantage of conversing with a man in whom they had discovered every requisite to afford the highest pleasure in colloquial intercourse. In reality, his understanding was no less admirable than the virtues of his character. Of this I cannot give a more substantial proof than by observing, he was united by the strictest bonds of friendship with the author of *L'Esprit des Lois*.

A variety of bons-mots of his have been repeated; but those which do him the greatest honour have been overlooked; those, for example, that explained rather his principles than his understanding. On one occasion, that the English mail had three times following failed of arriving, the king said to him, in one of his levees, "Have you not the *spleen*, M. Mitchel, when the mail is thus delayed?" .... "No, Sire, not when it is delayed, but often enough when it arrives duly." During the Seven Years' War, in which Sir Andrew constantly served immediately under Frederic, the English had promised the latter to send a fleet to the Baltic, for the protection of commerce and to keep off the Swedes and Russians: this fleet never made its appearance, and in consequence the Swedes transported their army without interruption to Pomerania, together with all the necessaries for its support; while the Russians, on their part, did not lose so good an opportunity of conveying provisions for their troops by sea, and laid siege to Colberg, to say nothing of the injury sustained by the king and the commerce of his subjects. This breach of promise on the part of England could not fail of giving umbrage to Frederic; and accordingly he incessantly complained of their proceedings to Sir Andrew Mitchel, who found himself embarrassed what reply to make him. At length the ambassador, who had before been daily invited to dine with the king, received no longer this mark of attention; the generals meeting him about the king's hour of dinner, said to him, "It is dinner-time, M. Mitchel." .... "Ah, Gentlemen," replied he, "no fleet, no dinner!" This was repeated to Frederic, and the invitations were renewed.

After the affair of Port Mahon, the king said to him, "You have made a bad beginning, M. Mitchel! What! your fleet beaten, and Port Mahon taken, in your first campaign! The trial in which you are proceeding against your Admiral Byng is a bad plaister for the malady! You have made a pitiful campaign of it; this is certain." .... "Sire, we hope, with God's assistance, to make a better next year." .... "With *God's* assistance, say you, Sir? I did not know you had such an ally." .... "We rely much upon him, though he costs us less than our other allies." .... "Spare no expence with him; you shall see he will give you money's worth for your money!"

The ambassador was truly the friend and partisan of philosophy and virtue. During the Seven Years' War, when Frederic was least satisfied with England, the cabinet of London sent Sir Andrew Mitchel a long and circumstantial letter, in which they severely reproached him for omitting to communicate to them the numerous and bitter sarcasms which they could not doubt escaped Frederic concerning them. Sir Andrew, who himself related to me this anecdote, replied, that in accepting his mission he considered himself as intrusted with the care of maintaining and strengthening the ties that existed between his country and a valuable ally; that his desire had been to prove a minister of peace and union; that if it were intended to make of him a minister of hatred, pitiful bickerings, and despicable tale-bearings, he wished nothing more than that they would name him a successor immediately, as he should never be prevailed upon to play a part so unworthy of his sentiments and character; that it was not on this account to be believed

No. DXXXIII.

From ——— Farquharson, of Invercald, to the Lord President.

My Lord, Invercald, August the 18th, 1747.

I TAKE the Libertie (now upon ỹr Loꝑ's safe arrivall att home) heartily to congratulate with you, and all good Scots Men, upon the present happy, peaceable, and (I may say) flourishing state of our Country, in comparison with the miserable condition it laboured under, with blood, rapine, and devastation, when yr Loꝑ last left yr house. And what a blessing it is, that so wicked a Rebellion, which struck att the root of all our liberties, both sacred & civil, was so soon defeat and eradicat; whyll a litle longer continuance would have reduced this poor Nation allmost into a desart; since ther would have been litle seed tyme, and as litle harvest, and ane inevitable generall famine the consequence, which could not miss to have sweeped off what the sword left.

The noble, worthie, and conspicuous pairt yr Loꝑ acted in contributing to bring about this happy event, will make you as memorable to all future ages, as your Loꝑ's lands & designation will be for the decisive batell;* and will ever be much esteemed by all true lovers of libertie, and the Countrey. Mean-tyme yr Loꝑ's so early appearance for lenitie and mercy has gained you the sincere affection even of the missfortunat. Most of them (though now too late) clearly perceive the foly and imprudence of ther so precipitat and rash actings, in plain contradiction to ther own and the nation's interest and hapiness, as weell as their duty.

It is my humble opinion, that it would be a gross miscomprehension of true merit, if yr Loꝑ was not suitably rewarded, as weell as hyly regairded, for such a chain of notable and valuable services. My Lord, I am att great loss to find suitable expressions, for indicateing the true and sincere sence of gratitude I have (and will allways retain) for the uncomon friendship and countenance yr Loꝑ has allways honoured my Daughter, the Lady Mackintosh, with; but mor particularly in the tyme of her great distress, which ocasioned others also to regaird her, and proved a great mean of her haveing better uswadge then otherways she could expect. I am far from aproveing of her imprudent deportment, although out of naturall afection I think myself bound in duty to return my most heartie acknowledgements to her benefactors.

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he was less devoted to his country than the persons they might appoint to succeed him; that he knew perfectly well how to distinguish between what was of a nature to be injurious, and what was merely indifferent; that if any change should happen in the dispositions of his Prussian majesty, this he could not fail to be informed of, and would have lost not a moment in his communications to the court of London; but he begged them to consider that all the circumstances they had particularized in their letter, and with which he was perfectly acquainted at the time, were nothing more than the first impulses of a man possessed of no less irritability of temper and sensibility than of genius; that they might even have been nothing more than simple pleasantries, brought forward either with the intention of deceiving some of his hearers, or to put them off their guard as to what they might themselves have to conceal; that, in a word, it was his duty to remind them, that to judge accurately respecting a man so extraordinary, or even of what he says, it was doing little indeed to collect the mere words he uttered, if to these were not added a knowledge of the time in which they were pronounced, under what circumstances, and with what views. "Well," added he, "my remonstrance produced the effect I desired. I never was ignorant of all the bitter sarcasms and little epigrammic raillery that issued from the king against whoever fell in his way; but I carefully avoided mentioning them in my official dispatches: I was never afterward solicited on this point, and I kept my post. I should blush for the vocation I fill, if I were compelled to descend to such disgraceful meddling." I am much mistaken, or this trait proves the minister to have possessed an elevated soul, and that he ennobled the vocation he held.

* Sic in Orig.

It

It is not in the power of on in my privat Station ever to make the least suitable returns to your Loꝑ's so much goodness: but such exalted virtue and humanitie to a poor distressed Lady is a suficient reward to itself; and I shall ever pray for yr Loꝑ's long lyfe, happiness, and prosperity. And yee may believe, that in great truth and sinceritie I in duty, with the utmost regaird and esteem, allways remain,

My Lord,

Your Loꝑ's most faithfull,
most Obedient,
and much oblidged humble servant,
——* FARQUHARSON.

P. S. My Wyfe & Son beg leave to have ther humble Compliments presented to yr Loꝑ.

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* The Initial of the Christian name is not intelligible.

THE END.

Strahan and Preſton,
Printers-Streer, London.

00030897

Digitized with financial assistance from

Hermès India

a project facilitated by the Rotary Club of Bombay

on 10 August, 2018